

**Senate File 510 - Introduced**

SENATE FILE 510  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1289)

**A BILL FOR**

1 An Act relating to state and local finances by making  
2 appropriations, providing for fees, providing for legal  
3 responsibilities, providing for certain employee benefits,  
4 and providing for regulatory, taxation, and properly related  
5 matters, and including penalties and effective date and  
6 retroactive and other applicability provisions.  
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

Section 1. BUDGET PROCESS FOR FISCAL YEAR 2016-2017 AND FISCAL YEAR 2017-2018.

1. For the budget process applicable to the fiscal year beginning July 1, 2016, on or before October 1, 2015, in lieu of the information specified in section 8.23, subsection 1, unnumbered paragraph 1, and paragraph "a", all departments and establishments of the government shall transmit to the director of the department of management, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, together with supporting data and explanations as called for by the director of the department of management after consultation with the legislative services agency.

2. The estimates of expenditure requirements shall be in a form specified by the director of the department of management, and the expenditure requirements shall include all proposed expenditures and shall be prioritized by program or the results to be achieved. The estimates shall be accompanied by performance measures for evaluating the effectiveness of the programs or results.

Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS — FY 2015-2016. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the amounts appropriated from the general fund of the state pursuant to these sections for the following designated purposes shall not exceed the following amounts:

1. For operational support grants and community cultural grants under section 99F.11, subsection 3, paragraph "d", subparagraph (1):  
..... \$ 416,702

2. For payment for nonpublic school transportation under section 285.2:

1 ..... \$ 8,560,931

2 If total approved claims for reimbursement for nonpublic  
3 school pupil transportation exceed the amount appropriated in  
4 accordance with this subsection, the department of education  
5 shall prorate the amount of each approved claim.

6 3. For the enforcement of chapter 453D relating to tobacco  
7 product manufacturers under section 453D.8:

8 ..... \$ 18,416

9 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS — FY  
10 2016-2017. Notwithstanding the standing appropriations  
11 in the following designated sections for the fiscal year  
12 beginning July 1, 2016, and ending June 30, 2017, the amounts  
13 appropriated from the general fund of the state pursuant to  
14 these sections for the following designated purposes shall not  
15 exceed the following amounts:

16 1. For operational support grants and community cultural  
17 grants under section 99F.11, subsection 3, paragraph "d",  
18 subparagraph (1):

19 ..... \$ 208,351

20 2. For payment for nonpublic school transportation under  
21 section 285.2:

22 ..... \$ 8,560,931

23 If total approved claims for reimbursement for nonpublic  
24 school pupil transportation exceed the amount appropriated in  
25 accordance with this subsection, the department of education  
26 shall prorate the amount of each approved claim.

27 3. For the enforcement of chapter 453D relating to tobacco  
28 product manufacturers under section 453D.8:

29 ..... \$ 9,208

30 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID — FY 2015-2016  
31 — FY 2016-2017. In lieu of the appropriation provided in  
32 section 257.20, subsection 2, the appropriation for the fiscal  
33 years beginning July 1, 2015, and July 1, 2016, for paying  
34 instructional support state aid under section 257.20 for such  
35 fiscal years is zero.

1     Sec. 5.   GENERAL ASSEMBLY.

2     1.   The appropriations made pursuant to section 2.12 for the  
3 expenses of the general assembly and legislative agencies for  
4 the fiscal year beginning July 1, 2015, and ending June 30,  
5 2016, are reduced by the following amount:

6 ..... \$ 4,223,452

7     2.   The budgeted amounts for the general assembly and  
8 legislative agencies for the fiscal year beginning July 1,  
9 2015, may be adjusted to reflect the unexpended budgeted  
10 amounts from the previous fiscal year.

11                                   DIVISION II

12                   MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

13     Sec. 6.   DEPARTMENT OF CORRECTIONS — APPROPRIATION.  There  
14 is appropriated from the general fund of the state to the  
15 department of corrections for the fiscal year beginning July  
16 1, 2014, and ending June 30, 2015, the following amount, or  
17 so much thereof as is necessary, to be used for the purposes  
18 designated:

19     For operations, including salaries, support, maintenance,  
20 and miscellaneous purposes, including training and additional  
21 costs associated with the new correctional facility located in  
22 Fort Madison:

23 ..... \$ 1,000,000

24     Notwithstanding section 8.33, moneys appropriated in this  
25 section that remain unencumbered or unobligated at the close of  
26 the fiscal year shall not revert but shall remain available for  
27 expenditure for the purposes designated until the close of the  
28 succeeding fiscal year.

29     Sec. 7.   DEPARTMENT OF PUBLIC HEALTH.  There is appropriated  
30 from the general fund of the state to the department of public  
31 health for the fiscal year beginning July 1, 2014, and ending  
32 June 30, 2015, the following amount to be used for the purposes  
33 designated:

34     For the public purpose of providing a grant on behalf of  
35 substance-related disorder treatment providers in accordance

1 with this section:

2 ..... \$ 2,800,000

3 The appropriation made in this section shall be distributed  
 4 as a grant to an association representing the majority of  
 5 the nonprofit substance-related disorder treatment providers  
 6 licensed under section 125.13 by the department as of January  
 7 1, 2015, that receive federal prevention and treatment of  
 8 substance abuse block grant funding through the department.  
 9 The grant shall be used for bulk purchasing and to implement an  
 10 electronic health record system in the providers that receive  
 11 that federal grant. The electronic health record system  
 12 implemented with the grant shall comply with the electronic  
 13 health information provisions implemented pursuant to section  
 14 135.156 and with the mental health and disabilities services  
 15 system central data repository implemented pursuant to section  
 16 225C.6A and other data requirements under chapter 225C. Each  
 17 of the providers shall have the electronic health record system  
 18 fully operational on or before July 1, 2018.

19 Notwithstanding section 8.33, moneys appropriated in this  
 20 section that remain unencumbered or unobligated at the close  
 21 of the fiscal year for which appropriated shall not revert  
 22 but shall remain available for expenditure for the purposes  
 23 designated until the close of the succeeding fiscal year.

24 Sec. 8. HEART ATTACK TREATMENT — APPROPRIATION. There  
 25 is appropriated from the general fund of the state to the  
 26 department of public health for the fiscal year beginning July  
 27 1, 2014, and ending June 30, 2015, the following amount, or  
 28 so much thereof as is necessary, to be used for the purposes  
 29 designated:

30 For a collaborative effort between the department of public  
 31 health, the Iowa emergency medical services association, the  
 32 American heart association, midwest affiliate, Iowa's health  
 33 systems and hospitals, and emergency medical service providers,  
 34 to supplement funding received through a grant from the Leona  
 35 M. and Harry B. Helmsley charitable trust for a program to

1 enhance systems of care, save lives, and improve outcomes  
2 for heart attack patients in rural Iowa called the mission:  
3 lifeline program:

4 ..... \$ 1,500,000

5 Moneys appropriated under this section shall be used  
6 to enhance the critical elements of an optimal ST-elevated  
7 myocardial infarction (STEMI) system of care including the  
8 provision of 12-lead electrocardiogram (EKG) machines, the  
9 provision of a systemwide data tool for quality measurement  
10 and improvement, ongoing medical provider training and STEMI  
11 education, coordination of protocols for rural emergency  
12 management systems and hospital personnel, the implementation  
13 of regional plans for rapid transport and transfer of patients,  
14 the implementation of a public education campaign on heart  
15 attack signs and symptoms and the need to activate the 911  
16 system, and the provision of assistance to hospitals and  
17 emergency medical services providers in acquiring essential  
18 electrocardiogram equipment and training.

19 Notwithstanding section 8.33, moneys appropriated in this  
20 section that remain unencumbered or unobligated at the close  
21 of the fiscal year for which appropriated shall not revert  
22 but shall remain available for expenditure for the purposes  
23 designated until the close of the fiscal year that begins July  
24 1, 2017.

25 Sec. 9. DEBT COLLECTIONS. The judicial branch shall  
26 evaluate and study current practice for the collection of court  
27 debt. By January 1, 2016, the judicial branch shall file a  
28 report with the general assembly regarding the findings of the  
29 study. The report shall include any recommended changes that  
30 would increase the efficiency of collection of court debt.

31 Sec. 10. IOWA NEW JOBS TRAINING AGREEMENTS. An Iowa  
32 community college that entered into a new jobs training  
33 agreement pursuant to chapter 260E, which was effective  
34 in April 2012, with an Iowa employer may enter into a new  
35 agreement with such employer pursuant to chapter 260E,

1 which will be effective September 2015, and may use the base  
2 employment determined in April 2012 as the base employment  
3 for determining the new jobs eligible under the new agreement  
4 if the base employment determined in April 2012 was 2,125  
5 employees. The new agreement under chapter 260E shall  
6 be limited to seven years from the effective date of the  
7 agreement.

8 Sec. 11. Section 8D.4, Code 2015, is amended to read as  
9 follows:

10 **8D.4 Executive director appointed.**

11 The commission, in consultation with the director of  
12 the department of administrative services and the chief  
13 information officer, shall appoint an executive director of  
14 the commission, subject to confirmation by the senate. Such  
15 individual shall not serve as a member of the commission.  
16 The executive director shall serve at the pleasure of the  
17 commission. The executive director shall be selected primarily  
18 for administrative ability and knowledge in the field, without  
19 regard to political affiliation. The governor shall establish  
20 the salary of the executive director within the applicable  
21 salary range ~~nine~~ as established by the general assembly. The  
22 salary and support of the executive director shall be paid from  
23 funds deposited in the Iowa communications network fund.

24 Sec. 12. Section 43.45, subsection 3, as enacted by 2015  
25 Iowa Acts, Senate File 415, section 1, is amended to read as  
26 follows:

27 3. Notwithstanding any requirement to the contrary in  
28 subsection 1 and subsection 2, paragraph "c", the commissioner  
29 of a county using digital ballot counting technology may direct  
30 the precinct election officials to tally and record write-in  
31 votes at the precincts after the closing of the polls or may  
32 direct the precinct election officials to ~~sort the ballots by~~  
33 print the write-in report containing digital images of write-in  
34 votes for delivery to the special precinct board to tally and  
35 record the write-in votes on any day following election day and

1 prior to the canvass by the board of supervisors under section  
2 43.49. For the purposes of this subsection "*digital ballot*  
3 *counting technology*" is technology in which digital images of  
4 write-in votes are printed by the precinct election officials  
5 at the polling place after the close of voting.

6 Sec. 13. NEW SECTION. 91A.5B Treatment of adoptive parent  
7 employees.

8 1. For purposes of this section, "*adoption*" means the  
9 permanent placement in this state of a child by the department  
10 of human services, by a licensed agency under chapter 238, by  
11 an agency that meets the provisions of the interstate compact  
12 in section 232.158, or by a person making an independent  
13 placement according to the provisions of chapter 600.

14 2. An employer shall treat an employee who chooses to  
15 adopt in the same manner as an employee who is the biological  
16 parent of a newborn child for purposes of employment policies,  
17 benefits, and protections for the first year of the adoption.

18 Sec. 14. Section 97A.6, subsection 11, Code 2015, is amended  
19 by striking the subsection.

20 Sec. 15. Section 123.132, subsection 3, as enacted by 2015  
21 Iowa Acts, Senate File 456, section 1, is amended to read as  
22 follows:

23 3. A container of beer other than the original container  
24 that is sold and sealed in compliance with the requirements of  
25 subsection 2 and the division's rules shall not be deemed an  
26 open container subject to the requirements of sections 321.284  
27 and 321.284A if the sealed container is unopened and the seal  
28 has not been tampered with, and the contents of the container  
29 have not been partially removed.

30 Sec. 16. Section 136C.3, subsection 10, Code 2015, is  
31 amended to read as follows:

32 10. a. Adopt rules specifying the minimum training and  
33 performance standards for an individual using a radiation  
34 machine for mammography, and other rules necessary to  
35 implement section 136C.15. The rules shall complement federal

1 requirements applicable to similar radiation machinery and  
2 shall not be less stringent than those federal requirements.

3 b. (1) Adopt rules to require that, by January 1, 2016,  
4 a facility at which mammography services are performed shall  
5 include information on breast density in mammogram reports sent  
6 to patients pursuant to regulations implementing the federal  
7 Mammography Quality Standards Act of 1992, Pub. L. No. 102-539,  
8 as amended. If a patient is categorized by an interpreting  
9 physician at the facility as having heterogeneously dense  
10 breasts or extremely dense breasts based on standards as  
11 defined in nationally recognized guidelines or systems for  
12 breast imaging reporting of mammography screening, including  
13 the breast imaging reporting and data system of the American  
14 college of radiology, the report to the patient shall include  
15 notice that the patient has dense breast tissue, that this may  
16 make it more difficult to detect cancer on a mammogram, and  
17 that it may increase the patient's risk of breast cancer. The  
18 notice may contain the following language:

19 State law requires the following notification:

20 Your mammogram indicates that you have dense breast tissue.  
21 Dense breast tissue may make it more difficult to evaluate the  
22 results of your mammogram and may also be associated with an  
23 increased risk of breast cancer. You are encouraged to consult  
24 with your primary health care provider regarding the results of  
25 your mammogram. Together you can best decide which additional  
26 screening options may be right for you based on your mammogram  
27 results, individual risk factors, or physical examination.

28 (2) Nothing in this paragraph "b" shall be construed to  
29 modify the existing liability of a facility where mammography  
30 services are performed beyond the duty to provide the  
31 information set forth in this paragraph "b".

32 (3) Nothing in this paragraph "b" shall be deemed to require  
33 a notice or the provision of information that is inconsistent  
34 with the provisions of the federal Mammography Quality  
35 Standards Act of 1992, Pub. L. No. 102-539, as amended, or any

1 regulations promulgated pursuant to that Act.

2 Sec. 17. Section 261.110, subsection 3, Code 2015, is  
3 amended by adding the following new paragraph:

4 NEW PARAGRAPH. c. The applicant met all of the eligibility  
5 requirements of this section on or after January 1, 2013. A  
6 person who met the program eligibility requirements of this  
7 section prior to January 1, 2013, is ineligible for this  
8 program.

9 Sec. 18. Section 418.15, subsection 1, Code 2015, is amended  
10 to read as follows:

11 1. A governmental entity shall not receive remittances of  
12 sales tax revenue under this chapter after twenty years from  
13 the date the governmental entity's project was approved by the  
14 board unless the remittance amount is calculated under section  
15 418.11 based on sales subject to the tax under section 432.2  
16 occurring before the expiration of the twenty-year period.

17 Sec. 19. Section 505.19, Code 2015, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 4A. Notwithstanding subsection 1, a health  
20 insurance carrier licensed to do business in this state that  
21 participates in the health benefits exchange used in this state  
22 and created pursuant to the federal Patient Protection and  
23 Affordable Care Act, Pub. L. No. 111-148, as amended by the  
24 federal Health Care and Education Reconciliation Act of 2010,  
25 Pub. L. No. 111-152, shall not be subject to the requirements  
26 of this section for health plans issued by the health insurance  
27 carrier that are filed and purchased within the exchange or the  
28 matching health plans issued by the health insurance carrier  
29 that are purchased outside of the exchange. However, such  
30 a health insurance carrier shall inform policyholders who  
31 purchase such health plans of their total premium due and  
32 any rate increases to their premium for each upcoming policy  
33 year. Such notice shall be provided thirty days prior to  
34 the beginning of open enrollment for the health plans and  
35 shall provide policyholders with information about how the

1 policyholder can contact the insurance division to submit a  
2 comment about a proposed rate increase. A health insurance  
3 carrier subject to this subsection shall be subject to all  
4 other applicable state and federal laws.

5 Sec. 20. Section 602.1304, subsection 2, paragraph a, Code  
6 2015, is amended to read as follows:

7 a. The enhanced court collections fund is created in the  
8 state treasury under the authority of the supreme court. The  
9 fund shall be separate from the general fund of the state and  
10 the balance in the fund shall not be considered part of the  
11 balance of the general fund of the state. Notwithstanding  
12 section 8.33, moneys in the fund shall not revert to the  
13 general fund, unless and to the extent the total amount  
14 of moneys deposited into the fund in a fiscal year would  
15 exceed the maximum annual deposit amount established for  
16 the collections fund by the general assembly. ~~The initial~~  
17 ~~maximum annual deposit amount for a fiscal year is four million~~  
18 ~~dollars.~~ Notwithstanding section 12C.7, subsection 2, interest  
19 or earnings on moneys in the collections fund shall remain in  
20 the collections fund and any interest and earnings shall be in  
21 addition to the maximum annual deposit amount. The maximum  
22 annual deposit amount shall be the following amounts for the  
23 following fiscal years:

24 (1) For the fiscal year beginning July 1, 2015, seven  
25 million dollars.

26 (2) For the fiscal year beginning July 1, 2016, seven  
27 million dollars.

28 (3) For the fiscal year beginning July 1, 2017, seven  
29 million dollars.

30 (4) For the fiscal year beginning July 1, 2018, five million  
31 dollars.

32 (5) For the fiscal year beginning July 1, 2019, and each  
33 fiscal year thereafter, four million five hundred thousand  
34 dollars.

35 Sec. 21. Section 633.535, Code 2015, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 4. *a.* A named beneficiary of a bond,  
3 life insurance policy, or any other contractual arrangement  
4 convicted of a felony referenced in paragraph "*d*" that was  
5 perpetrated against the principal obligee or person upon  
6 whose life the policy is issued or whose death generates the  
7 benefits under any other contractual arrangement, in the six  
8 months immediately prior to the obligee's or person's death, is  
9 not entitled to any benefit under the bond, policy, or other  
10 contractual arrangement.

11 *b.* The procedure set out in section 633.536 applies and  
12 the benefits become payable as though the convicted obligee or  
13 person had predeceased the decedent.

14 *c.* However, a principal obligee or person upon whose life  
15 the policy is issued or whose death generates the benefits  
16 under any other contractual arrangement, in the six months  
17 immediately prior to the obligee's or person's death, may  
18 affirm by a signed, notarized affidavit that the beneficiary  
19 should receive any benefit under the bond, policy, or other  
20 contractual arrangement despite a felony conviction referenced  
21 in this subsection.

22 *d.* This subsection applies to a conviction for any of the  
23 following felonies:

24 (1) Any felony contained in chapter 707.

25 (2) Any felony contained in chapter 708.

26 (3) Any felony contained in chapter 709.

27 (4) Any felony contained in chapter 710.

28 Sec. 22. Section 708.2A, subsection 1, Code 2015, is amended  
29 to read as follows:

30 1. For the purposes of this chapter, "*domestic abuse*  
31 *assault*" means an assault, as defined in section 708.1, which  
32 is domestic abuse as defined in section 236.2, subsection 2,  
33 paragraph "*a*", "*b*", "*c*", ~~or~~ "*d*", or "*e*".

34 Sec. 23. NEW SECTION. 708.11A Unauthorized placement of  
35 global positioning device.

1 1. A person commits unauthorized placement of a global  
2 positioning device, when, with intent to intimidate, annoy, or  
3 alarm another person, the person, without the consent of the  
4 other person, places a global positioning device on the other  
5 person or an object in order to track the movements of the  
6 other person without a legitimate purpose.

7 2. A person who commits a violation of this section commits  
8 a serious misdemeanor.

9 Sec. 24. EFFECTIVE UPON ENACTMENT. The following provision  
10 or provisions of this division of this Act, being deemed of  
11 immediate importance, take effect upon enactment:

12 1. The section of this division of this Act appropriating  
13 moneys to the department of corrections for the fiscal  
14 year beginning July 1, 2014, and ending June 30, 2015, for  
15 operations including training and additional costs associated  
16 with the new correctional facility located in Fort Madison.

17 2. The section of this division of this Act appropriating  
18 moneys to the department of public health for the fiscal year  
19 beginning July 1, 2014, and ending June 30, 2015, for purposes  
20 of providing a grant on behalf of substance-related disorder  
21 treatment providers.

22 3. The section of this division of this Act appropriating  
23 moneys to the department of public health for the fiscal year  
24 beginning July 1, 2014, and ending June 30, 2015, for purposes  
25 of providing a collaborative effort between certain entities  
26 for heart attack patients.

27 DIVISION III

28 SALARIES, COMPENSATION, AND RELATED MATTERS

29 Sec. 25. SPECIAL FUNDS. For the fiscal year beginning  
30 July 1, 2015, and ending June 30, 2016, and for the fiscal  
31 year beginning July 1, 2016, and ending June 30, 2017, salary  
32 adjustments may be funded using departmental revolving, trust,  
33 or special funds for which the general assembly has established  
34 an operating budget, provided doing so does not exceed the  
35 operating budget established by the general assembly.



1     Sec. 28. Section 227.10, Code 2015, as amended by 2015  
2 Iowa Acts, Senate File 463, section 53, is amended to read as  
3 follows:

4     **227.10 Transfers from county or private institutions.**

5     Patients who have been admitted at public expense to  
6 any institution to which this chapter is applicable may be  
7 involuntarily transferred to the proper state hospital for  
8 persons with mental illness in the manner prescribed by  
9 sections 229.6 to 229.13. The application required by section  
10 229.6 may be filed by the administrator of the division or  
11 the administrator's designee, or by the administrator of the  
12 institution where the patient is then being maintained or  
13 treated. If the patient was admitted to that institution  
14 involuntarily, the administrator of the division may arrange  
15 and complete the transfer, and shall report it as required of a  
16 chief medical officer under section 229.15, subsection 5. The  
17 transfer shall be made at the mental health and ~~disabilities~~  
18 disability services region's expense, and the expense  
19 recovered, as provided in section 227.7. However, transfer  
20 under this section of a patient whose expenses are payable  
21 in whole or in part by a the mental health and ~~disabilities~~  
22 disability services region is subject to an authorization  
23 for the transfer through the regional administrator for the  
24 patient's county of residence.

25     Sec. 29. Section 227.14, Code 2015, as amended by 2015  
26 Iowa Acts, Senate File 463, section 56, is amended to read as  
27 follows:

28     **227.14 Caring for persons with mental illness from other**  
29 **counties.**

30     The regional administrator for a county that does not have  
31 proper facilities for caring for persons with mental illness  
32 may, with the consent of the administrator of the division,  
33 provide for such care at the expense of the mental health and  
34 ~~disabilities~~ disability services region in any convenient and  
35 proper county or private institution for persons with mental

1 illness which is willing to receive the persons.

2 Sec. 30. Section 229.1B, Code 2015, as amended by 2015  
3 Iowa Acts, Senate File 463, section 59, is amended to read as  
4 follows:

5 **229.1B Regional administrator.**

6 Notwithstanding any provision of this chapter to the  
7 contrary, any person whose hospitalization expenses  
8 are payable in whole or in part by a mental health and  
9 ~~disabilities~~ disability services region shall be subject to all  
10 administrative requirements of the regional administrator for  
11 the county.

12 Sec. 31. Section 229.2, subsection 1, paragraph b,  
13 subparagraph (3), Code 2015, as amended by 2015 Iowa Acts,  
14 Senate File 463, section 60, is amended to read as follows:

15 (3) As soon as is practicable after the filing of a  
16 petition for juvenile court approval of the admission of the  
17 minor, the juvenile court shall determine whether the minor  
18 has an attorney to represent the minor in the hospitalization  
19 proceeding, and if not, the court shall assign to the minor  
20 an attorney. If the minor is financially unable to pay for  
21 an attorney, the attorney shall be compensated by the mental  
22 health and ~~disabilities~~ disability services region at an hourly  
23 rate to be established by the regional administrator for the  
24 county in which the proceeding is held in substantially the  
25 same manner as provided in section 815.7.

26 Sec. 32. Section 229.8, subsection 1, Code 2015, as amended  
27 by 2015 Iowa Acts, Senate File 463, section 61, is amended to  
28 read as follows:

29 1. Determine whether the respondent has an attorney  
30 who is able and willing to represent the respondent in the  
31 hospitalization proceeding, and if not, whether the respondent  
32 is financially able to employ an attorney and capable of  
33 meaningfully assisting in selecting one. In accordance with  
34 those determinations, the court shall if necessary allow the  
35 respondent to select, or shall assign to the respondent, an

1 attorney. If the respondent is financially unable to pay an  
2 attorney, the attorney shall be compensated by the mental  
3 health and ~~disabilities~~ disability services region at an hourly  
4 rate to be established by the regional administrator for the  
5 county in which the proceeding is held in substantially the  
6 same manner as provided in section 815.7.

7 Sec. 33. Section 229.10, subsection 1, paragraph a, Code  
8 2015, as amended by 2015 Iowa Acts, Senate File 463, section  
9 62, is amended to read as follows:

10 a. An examination of the respondent shall be conducted by  
11 one or more licensed physicians, as required by the court's  
12 order, within a reasonable time. If the respondent is detained  
13 pursuant to section 229.11, subsection 1, paragraph "b",  
14 the examination shall be conducted within twenty-four hours.  
15 If the respondent is detained pursuant to section 229.11,  
16 subsection 1, paragraph "a" or "c", the examination shall  
17 be conducted within forty-eight hours. If the respondent  
18 so desires, the respondent shall be entitled to a separate  
19 examination by a licensed physician of the respondent's own  
20 choice. The reasonable cost of the examinations shall, if the  
21 respondent lacks sufficient funds to pay the cost, be paid by  
22 the regional administrator from mental health and ~~disabilities~~  
23 disability services region funds upon order of the court.

24 Sec. 34. Section 229.11, subsection 1, unnumbered paragraph  
25 1, Code 2015, as amended by 2015 Iowa Acts, Senate File 463,  
26 section 63, is amended to read as follows:

27 If the applicant requests that the respondent be taken into  
28 immediate custody and the judge, upon reviewing the application  
29 and accompanying documentation, finds probable cause to believe  
30 that the respondent has a serious mental impairment and is  
31 likely to injure the respondent or other persons if allowed  
32 to remain at liberty, the judge may enter a written order  
33 directing that the respondent be taken into immediate custody  
34 by the sheriff or the sheriff's deputy and be detained until  
35 the hospitalization hearing. The hospitalization hearing shall

1 be held no more than five days after the date of the order,  
2 except that if the fifth day after the date of the order is  
3 a Saturday, Sunday, or a holiday, the hearing may be held  
4 on the next succeeding business day. If the expenses of a  
5 respondent are payable in whole or in part by a mental health  
6 and ~~disabilities~~ disability services region, for a placement in  
7 accordance with paragraph "a", the judge shall give notice of  
8 the placement to the regional administrator for the county in  
9 which the court is located, and for a placement in accordance  
10 with paragraph "b" or "c", the judge shall order the placement  
11 in a hospital or facility designated through the regional  
12 administrator. The judge may order the respondent detained for  
13 the period of time until the hearing is held, and no longer,  
14 in accordance with paragraph "a", if possible, and if not then  
15 in accordance with paragraph "b", or, only if neither of these  
16 alternatives is available, in accordance with paragraph "c".  
17 Detention may be:

18 Sec. 35. Section 229.13, subsection 1, paragraph a, Code  
19 2015, as amended by 2015 Iowa Acts, Senate File 463, section  
20 64, is amended to read as follows:

21 a. The court shall order a respondent whose expenses  
22 are payable in whole or in part by a mental health and  
23 ~~disabilities~~ disability services region placed under the care  
24 of an appropriate hospital or facility designated through the  
25 county's regional administrator on an inpatient or outpatient  
26 basis.

27 Sec. 36. Section 229.14, subsection 2, paragraph a, Code  
28 2015, as amended by 2015 Iowa Acts, Senate File 463, section  
29 65, is amended to read as follows:

30 a. For a respondent whose expenses are payable in whole  
31 or in part by a mental health and ~~disabilities~~ disability  
32 services region, placement as designated through the county's  
33 regional administrator in the care of an appropriate hospital  
34 or facility on an inpatient or outpatient basis, or other  
35 appropriate treatment, or in an appropriate alternative

1 placement.

2 Sec. 37. Section 229.14A, subsection 7, Code 2015, as  
3 amended by 2015 Iowa Acts, Senate File 463, section 66, is  
4 amended to read as follows:

5 7. If a respondent's expenses are payable in whole or in  
6 part by a mental health and ~~disabilities~~ disability services  
7 region through the county's regional administrator, notice of  
8 a placement hearing shall be provided to the county attorney  
9 and the regional administrator. At the hearing, the county may  
10 present evidence regarding appropriate placement.

11 Sec. 38. Section 229.42, subsection 1, Code 2015, as amended  
12 by 2015 Iowa Acts, Senate File 463, section 68, is amended to  
13 read as follows:

14 1. If a person wishing to make application for voluntary  
15 admission to a mental hospital established by chapter 226 is  
16 unable to pay the costs of hospitalization or those responsible  
17 for the person are unable to pay the costs, application for  
18 authorization of voluntary admission must be made through a  
19 regional administrator before application for admission is  
20 made to the hospital. The person's county of residence shall  
21 be determined through the regional administrator and if the  
22 admission is approved through the regional administrator,  
23 the person's admission to a mental health hospital shall be  
24 authorized as a voluntary case. The authorization shall be  
25 issued on forms provided by the department of human services'  
26 administrator. The costs of the hospitalization shall be paid  
27 by the county of residence through the regional administrator  
28 to the department of human services and credited to the general  
29 fund of the state, provided that the mental health hospital  
30 rendering the services has certified to the county auditor  
31 of the county of residence and the regional administrator  
32 the amount chargeable to the mental health and ~~disabilities~~  
33 disability services region and has sent a duplicate statement  
34 of the charges to the department of human services. A mental  
35 health and ~~disabilities~~ disability services region shall not be

1 billed for the cost of a patient unless the patient's admission  
2 is authorized through the regional administrator. The mental  
3 health institute and the regional administrator shall work  
4 together to locate appropriate alternative placements and  
5 services, and to educate patients and family members of  
6 patients regarding such alternatives.

7 Sec. 39. Section 230.1, subsection 3, Code 2015, as amended  
8 by 2015 Iowa Acts, Senate File 463, section 69, is amended to  
9 read as follows:

10 3. A mental health and ~~disabilities~~ disability services  
11 region or county of residence is not liable for costs and  
12 expenses associated with a person with mental illness unless  
13 the costs and expenses are for services and other support  
14 authorized for the person through the county's regional  
15 administrator. For the purposes of this chapter, "*regional*  
16 *administrator*" means the same as defined in section 331.388.

17 Sec. 40. Section 230.20, subsection 2, paragraph b, Code  
18 2015, as amended by 2015 Iowa Acts, Senate File 463, section  
19 71, is amended to read as follows:

20 b. The per diem costs billed to each mental health and  
21 ~~disabilities~~ disability services region shall not exceed  
22 the per diem costs billed to the county in the fiscal year  
23 beginning July 1, 1996. However, the per diem costs billed to  
24 a mental health and ~~disabilities~~ disability services region  
25 may be adjusted annually to reflect increased costs, to the  
26 extent of the percentage increase in the statewide per capita  
27 expenditure target amount, if any per capita growth amount  
28 is authorized by the general assembly for the fiscal year in  
29 accordance with section 426B.3.

30 Sec. 41. Section 279.10, subsection 1, Code 2015, as amended  
31 by 2015 Iowa Acts, Senate File 227, section 2, is amended to  
32 read as follows:

33 1. The school year for each school district and accredited  
34 nonpublic school shall begin on July 1 and the school calendar  
35 shall begin no sooner than August 23 and no later than the

1 first Monday in December. The school calendar shall include  
 2 not less than one hundred eighty days, ~~except as provided in~~  
 3 ~~subsection 3,~~ or one thousand eighty hours of instruction  
 4 during the calendar year. The board of directors of a school  
 5 district and the authorities in charge of an accredited  
 6 nonpublic school shall determine the school start date for  
 7 the school calendar in accordance with this subsection and  
 8 shall set the number of days or hours of required attendance  
 9 for the school year as provided in section 299.1, subsection  
 10 2, but the board of directors of a school district shall  
 11 hold a public hearing on any proposed school calendar prior  
 12 to adopting the school calendar. If the board of directors  
 13 of a district or the authorities in charge of an accredited  
 14 nonpublic school extends the school calendar because inclement  
 15 weather caused the school district or accredited nonpublic  
 16 school to temporarily close during the regular school calendar,  
 17 the school district or accredited nonpublic school may excuse a  
 18 graduating senior who has met district or school requirements  
 19 for graduation from attendance during the extended school  
 20 calendar. A school corporation may begin employment of  
 21 personnel for in-service training and development purposes  
 22 before the date to begin elementary and secondary school.

23 Sec. 42. Section 426B.5, subsection 2, paragraph c, Code  
 24 2015, as amended by 2015 Iowa Acts, Senate File 463, section  
 25 78, is amended to read as follows:

26 *c.* A risk pool board is created. The board shall consist of  
 27 two county supervisors, two county auditors, a member of the  
 28 mental health and disability services commission who is not a  
 29 member of a county board of supervisors, a member of the county  
 30 finance committee created in chapter 333A who is not an elected  
 31 official, a representative of a provider of mental health or  
 32 developmental disabilities services selected from nominees  
 33 submitted by the Iowa association of community providers, and  
 34 two staff members of regional administrators of county mental  
 35 health and disability services regions, all appointed by the

1 governor, and one member appointed by the director of human  
2 services. All members appointed by the governor shall be  
3 subject to confirmation by the senate. Members shall serve for  
4 three-year terms. A vacancy shall be filled in the same manner  
5 as the original appointment. Expenses and other costs of the  
6 risk pool board members representing counties shall be paid by  
7 the county of origin. Expenses and other costs of risk pool  
8 board members who do not represent counties shall be paid from  
9 a source determined by the governor. Staff assistance to the  
10 board shall be provided by the department of human services and  
11 counties. Actuarial expenses and other direct administrative  
12 costs shall be charged to the pool.

13 Sec. 43. Section 459A.302, subsection 1, paragraph a,  
14 unnumbered paragraph 1, Code 2015, as amended by 2015 Iowa  
15 Acts, House File 583, section 33, if enacted, is amended to  
16 read as follows:

17 Prior to constructing a settled open feedlot effluent basin  
18 or an animal truck wash effluent structure, the site for the  
19 basin or structure shall be investigated for a drainage tile  
20 line by the owner of the open feedlot operation or animal truck  
21 wash facility. The investigation shall be made by digging a  
22 core trench to a depth of at least six feet deep from ground  
23 level at the projected center of the berm of the basin or  
24 structure. If a drainage tile line is discovered, one of the  
25 following solutions shall be implemented:

26 Sec. 44. Section 459A.302, subsection 2, paragraph a, Code  
27 2015, as amended by 2015 Iowa Acts, House File 583, section 34,  
28 if enacted, is amended to read as follows:

29 a. The settled open feedlot effluent basin or an animal  
30 truck wash effluent structure shall be constructed with a  
31 minimum separation of two feet between the top of the liner of  
32 the basin or structure and the seasonal high-water table.

33 Sec. 45. Section 459A.404, subsection 3, paragraphs b and c,  
34 if enacted by 2015 Iowa Acts, House File 583, section 41, are  
35 amended to read as follows:

1     *b.* For purposes of section 459.310, subsection 4, the  
2 provisions relating to an unformed manure storage structure  
3 shall apply to an unformed animal truck wash effluent structure  
4 and the provisions relating to a formed manure storage  
5 structure shall apply to a formed animal truck wash effluent  
6 structure. However, the

7     ~~*c.* Notwithstanding section 459.310, subsection 4, a~~  
8 requirement in section 459.310, subsection 4, paragraph "a",  
9 relating to animal weight capacity or animal unit capacity  
10 shall not apply to the replacement of an unformed animal  
11 truck wash effluent structure with a formed animal truck wash  
12 effluent structure. In addition, the capacity of a replacement  
13 animal truck wash effluent structure shall not exceed the  
14 amount required to store animal truck wash effluent for any  
15 eighteen-month period.

16     Sec. 46. Section 459A.411, Code 2015, as amended by 2015  
17 Iowa Acts, House File 583, section 43, if enacted, is amended  
18 to read as follows:

19     **459A.411 Discontinuance of operations.**

20     The owner of an open feedlot operation or animal truck  
21 wash facility who discontinues its operation shall remove all  
22 effluent from related open feedlot operation structures or  
23 animal truck wash effluent structures used to store effluent,  
24 as soon as practical but not later than six months following  
25 the date the operations of the open feedlot operation or animal  
26 truck wash facility ~~is~~ are discontinued.

27     Sec. 47. Section 476.53, subsection 3, paragraph a,  
28 subparagraph (1), Code 2015, as amended by 2015 Iowa Acts,  
29 House File 535, section 61, is amended to read as follows:

30     (1) (a) Files an application pursuant to section 476A.3 to  
31 construct in Iowa a baseload electric power generating facility  
32 with a nameplate generating capacity equal to or greater  
33 than three hundred megawatts or a combined-cycle electric  
34 power generating facility, or an alternate energy production  
35 facility as defined in section 476.42, or to significantly

1 alter an existing generating facility. For purposes of  
2 this subparagraph, a significant alteration of an existing  
3 generating facility must, in order to qualify for establishment  
4 of ratemaking principles, fall into one of the following  
5 categories:

6 (i) Conversion of a coal fueled facility into a gas fueled  
7 facility.

8 (ii) Addition of carbon capture and storage facilities at  
9 a coal fueled facility.

10 (iii) Addition of gas fueled capability to a coal fueled  
11 facility, in order to convert the facility to one that will  
12 rely primarily on gas for future generation.

13 (iv) Addition of a biomass fueled capability to a coal  
14 fueled facility.

15 (b) With respect to a significant alteration of an existing  
16 generating facility, an original facility shall not be required  
17 to be either a baseload or a combined-cycle facility. Only  
18 the incremental investment undertaken by a utility under  
19 subparagraph division (a), subparagraph subdivision (i), (ii),  
20 (iii), or (iv) shall be eligible to apply the ratemaking  
21 principles established by the order issued pursuant to  
22 paragraph "e". Facilities for which advanced ratemaking  
23 principles are obtained pursuant to this section shall not  
24 be subject to a subsequent board review pursuant to section  
25 476.6, subsection 20, to the extent that the investment has  
26 been considered by the board under this section. To the  
27 extent an eligible utility has been authorized to make capital  
28 investments subject to section 476.6, subsection 20, such  
29 investments shall not be eligible for ratemaking principles  
30 pursuant to this section.

31 Sec. 48. Section 602.3205, subsection 3, paragraph b, if  
32 enacted by 2015 Iowa Acts, Senate File 404, section 5, is  
33 amended to read as follows:

34 *b.* The audio recordings provided ~~in~~ to the board pursuant to  
35 this subsection shall be kept confidential by the board in a

1 manner as provided in section 272C.6, subsection 4.

2 Sec. 49. Section 602.11113, Code 2015, as amended by 2015  
3 Iowa Acts, House File 536, section 177, is amended to read as  
4 follows:

5 **602.11113 Bailiffs employed as court attendants.**

6 Persons who were employed as bailiffs and who were  
7 performing services for the court, other than law enforcement  
8 services, immediately prior to July 1, 1983, shall be employed  
9 by the district court administrators as court attendants under  
10 section 602.6601 on July 1, 1983.

11 Sec. 50. Section 714.23, subsection 4A, paragraph a, if  
12 enacted by 2015 Iowa Acts, Senate File 501, section 2, or 2015  
13 Iowa Acts, House File 663, section 2, is amended to read as  
14 follows:

15 a. A student who does not receive a tuition refund up  
16 to the full refund of tuition charges due to the effect of  
17 an interstate reciprocity agreement under section 261G.4,  
18 subsection 1, may apply to the attorney general for a refund  
19 in a sum that represents the difference between any tuition  
20 refund received from the school and the full refund of tuition  
21 charges. For purposes of this subsection, "full refund of  
22 tuition charges" means the monetary sum of the refund for which  
23 the student would be eligible pursuant to the application of  
24 this section.

25 Sec. 51. Section 902.1, subsection 2, paragraph a,  
26 unnumbered paragraph 1, as enacted by 2015 Iowa Acts, Senate  
27 File 448, section 1, is amended to read as follows:

28 Notwithstanding subsection 1, a defendant convicted of  
29 murder in the first degree in violation of section 707.2, and  
30 who was under the age of eighteen at the time the offense was  
31 committed shall receive one of the following sentences:

32 Sec. 52. Section 916.1, subsection 1, as enacted by 2015  
33 Iowa Acts, House File 496, section 1, is amended to read as  
34 follows:

35 1. "*Confidential communication*" means confidential

1 information shared between a victim and a military victim  
2 advocate within the advocacy relationship, and includes all  
3 information received by the advocate and any advice, report,  
4 or working paper given to or prepared by the advocate in  
5 the course of the advocacy relationship with the victim.  
6 "*Confidential information*" is ~~confidential~~ information which, so  
7 far as the victim is aware, is not disclosed to a third party  
8 with the exception of a person present in the consultation for  
9 the purpose of furthering the interest of the victim, a person  
10 to whom disclosure is reasonably necessary for the transmission  
11 of the information, or a person with whom disclosure is  
12 necessary for accomplishment of the purpose for which the  
13 advocate is consulted by the victim.

14 Sec. 53. APPLICABILITY. The section of this division  
15 of this Act amending section 279.10, subsection 1, applies  
16 retroactively to April 10, 2015.

17 Sec. 54. APPLICABILITY. The section of this division of  
18 this Act amending section 902.1, subsection 2, paragraph "a",  
19 unnumbered paragraph 1, applies retroactively to the effective  
20 date of 2015 Iowa Acts, Senate File 448.

21 DIVISION V

22 REIMBURSEMENT OF DEFENSE COSTS

23 Sec. 55. NEW SECTION. **80F.2 Reimbursement of defense costs.**

24 1. If a peace officer, as defined in section 801.4, or a  
25 corrections officer is charged with the alleged commission  
26 of a public offense, based on acts or omissions within the  
27 scope of the officer's lawful duty or authority, and the charge  
28 is dismissed or the officer is acquitted of the charge, the  
29 presiding magistrate or judge shall enter judgment awarding  
30 reimbursement to the officer for any costs incurred in  
31 defending against the charge, including but not limited to a  
32 reasonable attorney fee, if the court finds the existence of  
33 any of the following grounds:

- 34 a. The charge was without probable cause.  
35 b. The charge was filed for malicious purposes.

1 c. The charge was unwarranted in consideration of all of the  
2 circumstances and matters of law attending the alleged offense.

3 2. The officer may apply for review of a failure or refusal  
4 to rule or an adverse ruling as to the existence of any of the  
5 above grounds. The application shall be to a district judge  
6 if the officer is seeking review of the act of a magistrate  
7 or district associate judge and the application shall be to a  
8 different district judge if review is sought of an act of a  
9 district judge.

10 Sec. 56. REPEAL. Section 80.37, Code 2015, is repealed.

11 DIVISION VI

12 RENEWABLE FUELS INFRASTRUCTURE PROGRAM

13 Sec. 57. Section 159A.14, subsection 1, paragraph a,  
14 subparagraph (1), Code 2015, is amended to read as follows:

15 (1) Ethanol infrastructure shall be designed and used  
16 exclusively to do any of the following:

17 (a) Store and dispense E-15 gasoline. At least for the  
18 period beginning on September 16 and ending on May 31 of each  
19 year, the ethanol infrastructure must be used to store and  
20 dispense E-15 gasoline as a registered fuel recognized by the  
21 United States environmental protection agency.

22 ~~(a)~~ (b) Store and dispense E-85 gasoline.

23 ~~(b)~~ (c) Store, blend, and dispense motor fuel from a motor  
24 fuel blender pump, ~~as required in this subparagraph division.~~  
25 The ethanol infrastructure must ~~provide~~ be used for the storage  
26 of ethanol or ethanol blended gasoline, or for blending ethanol  
27 with gasoline. The ethanol infrastructure must at least  
28 include a motor fuel blender pump which dispenses different  
29 classifications of ethanol blended gasoline and allows E-85  
30 gasoline to be dispensed at all times that the blender pump is  
31 operating.

32 DIVISION VII

33 STATE EMPLOYEE RETIREMENT INCENTIVE PROGRAM

34 Sec. 58. 2015 STATE EMPLOYEE RETIREMENT INCENTIVE PROGRAM.

35 1. Definitions. As used in this section, unless the context

1 provides otherwise:

2 a. "Eligible employee" means an employee or qualified  
3 employee who has filed a completed application for benefits  
4 with the Iowa public employees' retirement system created in  
5 chapter 97B in which the employee's or qualified employee's  
6 intended first month of entitlement, as defined in section  
7 97B.1A, is no later than September 2015.

8 b. (1) "Employee" means any of the following:

9 (a) An employee, as defined by section 97B.1A, who is  
10 employed within the executive branch of this state.

11 (b) An individual who was employed at the mental health  
12 institute at Clarinda, Iowa, or at the mental health institute  
13 at Mount Pleasant, Iowa, as of April 1, 2015, whose employment  
14 was terminated at either mental health institute after April  
15 1, 2015.

16 (2) "Employee" does not mean a qualified employee, an  
17 elected official, or an employee eligible for the sick leave  
18 conversion program as described in section 70A.23, subsection  
19 4.

20 c. "Employer" means a department, agency, board, or  
21 commission of the state that employs individuals.

22 d. "Health insurance contribution benefit" means the amount  
23 representing the monthly contribution cost of an affordable  
24 group health care plan offered by the state, as determined by  
25 the department of administrative services, providing coverage  
26 to the participant and, if applicable, the participant's spouse  
27 for the applicable period of coverage.

28 e. "Participant" means a person who timely submits an  
29 election to participate, is accepted to participate, and does  
30 participate, in the state employee retirement incentive program  
31 established under this section.

32 f. "Program" means the state employee retirement incentive  
33 program established under this section.

34 g. "Qualified employee" means an employee of a judicial  
35 district department of correctional services, an employee in

1 the office of a statewide elected official, or an employee of  
2 the state board of regents if the board elects to participate  
3 in the program.

4 h. "Years of service incentive benefit" means an amount  
5 equal to the entire value of an eligible employee's accumulated  
6 but unused vacation plus, for eligible employees with at least  
7 ten years of state employment service, one thousand dollars  
8 for each year of state employment service up to a maximum of  
9 twenty-five years of state employment service. For purposes of  
10 this paragraph, "state employment service" means service, as  
11 defined in section 97B.1A, for which the employer is the state.

12 2. Program eligibility. To become a participant in the  
13 program, an eligible employee shall do all of the following:

14 a. Submit by July 31, 2015, a written application, on  
15 forms prescribed by the department of administrative services,  
16 seeking participation in the program.

17 b. Acknowledge in writing the eligible employee's  
18 agreement to voluntarily terminate employment in exchange  
19 for participation in the state employee retirement incentive  
20 program as provided in this section.

21 c. Agree to waive all rights to file suit against the state  
22 of Iowa, including all of its departments, agencies, and other  
23 subdivisions, based on state or federal claims arising out of  
24 the employment relationship.

25 d. Acknowledge, in writing, that participation in the  
26 program waives any right to accept any employment with the  
27 state other than as an elected official on or after the date  
28 the eligible employee separates from employment.

29 e. Agree to separate from employment with the state no later  
30 than August 27, 2015.

31 3. Participant acceptance. An eligible employee shall be  
32 accepted into the program if the department of administrative  
33 services determines that the eligible employee meets the  
34 requirements to be eligible to participate in the program.

35 4. Program benefits. Upon acceptance to participate in the

1 program and separation from employment with the state no later  
2 than August 27, 2015, a participant shall receive the following  
3 benefits:

4 a. During November 2015, and each November thereafter for a  
5 total of five years, the state shall pay to the participant,  
6 or the participant's beneficiary, an amount equal to twenty  
7 percent of the years of service incentive benefit for that  
8 participant. Receipt of a years of service incentive benefit  
9 pursuant to this section by a participant shall be in lieu  
10 of receiving a payment for the participant's accumulated but  
11 unused vacation upon termination of employment.

12 b. For the period of time commencing with the first month  
13 in which a participant is ineligible for or exhausts the  
14 participant's available remaining value of sick leave used  
15 to pay the state share for the participant's continuation of  
16 state group health insurance coverage as provided in section  
17 70A.23, subsection 3, and ending five years from the date  
18 the participant separates from employment with the state as  
19 provided in this section, the participant, or the participant's  
20 surviving spouse, shall be entitled to receive a health  
21 insurance contribution benefit to be used by the participant  
22 or the participant's beneficiary to pay the cost for eligible  
23 state group health insurance. The department of administrative  
24 services shall determine what health insurance plans constitute  
25 eligible state group health insurance for purposes of this  
26 paragraph "b".

27 5. Reemployment.

28 a. An employer shall not offer permanent part-time  
29 employment, permanent full-time employment, temporary  
30 employment, or retention as an independent contractor to a  
31 participant.

32 b. This section shall not preclude a participant from  
33 membership on a board or commission.

34 6. Program administration and reporting.

35 a. The department of administrative services shall

1 administer the program and shall adopt administrative rules  
2 to administer the program. The department of administrative  
3 services and the department of management may adopt rules on an  
4 emergency basis under section 17A.4, subsection 3, and section  
5 17A.5, subsection 2, paragraph "b", to implement this section  
6 and the rules shall be effective immediately upon filing unless  
7 a later date is specified in the rules.

8     b. Records of the Iowa public employees' retirement system  
9 shall be released for the purposes of administering and  
10 monitoring the program subject to the requirements of section  
11 97B.17, subsection 5.

12     c. The department of administrative services, in  
13 collaboration with the department of management, shall present  
14 an interim report to the general assembly, including copies to  
15 the legislative services agency and the fiscal committee of  
16 the legislative council, by December 1, 2015, concerning the  
17 operation of the program. The department shall also submit  
18 an annual update concerning the program by October 1 of each  
19 year for four years, commencing December 1, 2016. The reports  
20 shall include information concerning the number of program  
21 participants, the cost of the program including any payments  
22 made to participants, the number of state employment positions  
23 not filled pursuant to the program, and the number of positions  
24 vacated by a program participant that have been refilled with a  
25 comparison of the salary of the program participant at the time  
26 the position was vacated to the beginning salary of the person  
27 who refilled the position.

28     7. Legislative and judicial branch employees.

29     a. The legislative council may provide a retirement  
30 incentive program for employees of the legislative branch  
31 consistent with the program provided in this section for  
32 executive branch employees. If the legislative council  
33 provides an incentive program, the legislative council shall  
34 collaborate with the department of administrative services to  
35 establish the program as required under this section as nearly

1 as identical as possible to the program provided executive  
2 branch employees under this section. The program provided  
3 pursuant to this paragraph "a" shall establish the same time  
4 guidelines and benefit calculations as provided under the  
5 program for executive branch employees.

6 b. The supreme court may provide a retirement incentive  
7 program for employees of the judicial branch consistent with  
8 the program provided in this section for executive branch  
9 employees. If the supreme court provides an incentive program,  
10 the supreme court shall collaborate with the department of  
11 administrative services to establish the program as required  
12 under this section as nearly as identical as possible to the  
13 program provided executive branch employees under this section.  
14 The program provided pursuant to this paragraph "b" shall  
15 establish the same time guidelines and benefit calculations as  
16 provided under the program for executive branch employees.

17 Sec. 59. APPROPRIATIONS REDUCTION. The amounts  
18 appropriated from the general fund of the state to the  
19 departments and establishments of the executive branch, as  
20 defined in section 8.2, but not including appropriations to the  
21 state board of regents, for operational purposes in enactments  
22 made for the fiscal year beginning July 1, 2015, and ending  
23 June 30, 2016, are reduced by an amount up to \$16,130,000. For  
24 purposes of this section, "operational purposes" means salary,  
25 support, administrative expenses, or other personnel-related  
26 costs. The reductions in appropriations required pursuant  
27 to this section shall be realized through the implementation  
28 of this division of this Act. The reductions to operational  
29 appropriations required by this section shall be applied by the  
30 department of management.

31 Sec. 60. DEPARTMENT OF MANAGEMENT — STATE EMPLOYEE  
32 RETIREMENT INCENTIVE PROGRAM — APPROPRIATION.

33 1. There is appropriated from the general fund of the state  
34 to the department of management for the fiscal year beginning  
35 July 1, 2014, and ending June 30, 2015, the following amount,

1 or so much thereof as is necessary, to be used for the purposes  
2 designated:

3 For reimbursing state agencies for costs associated with the  
4 state employee retirement incentive program:

5 ..... \$ 16,130,000

6 Moneys appropriated in this subsection shall be transferred  
7 by the department of management to state agencies to reimburse  
8 such agencies for payments required under the state employee  
9 retirement incentive program. If moneys appropriated under  
10 this subsection are insufficient to reimburse all such costs  
11 incurred by state agencies, the department of management shall  
12 transfer the moneys on a pro rata basis.

13 Notwithstanding section 8.33, moneys appropriated in this  
14 subsection that remain unencumbered or unobligated at the close  
15 of the fiscal year shall not revert but shall remain available  
16 for expenditure for the purposes designated until the close of  
17 the succeeding fiscal year.

18 2. It is the intent of the general assembly to fund  
19 reimbursements to state agencies for payments required under  
20 the state employee retirement incentive program in future years  
21 through appropriations made to the department of management.

22 Sec. 61. EFFECTIVE UPON ENACTMENT. This division of this  
23 Act, being deemed of immediate importance, takes effect upon  
24 enactment.

25 DIVISION VIII

26 SCHOOL AID — PERCENTS OF GROWTH

27 Sec. 62. Section 257.8, subsections 1 and 2, Code 2015, are  
28 amended to read as follows:

29 1. *State percent of growth.* ~~The state percent of growth~~  
30 ~~for the budget year beginning July 1, 2012, is two percent.~~  
31 The state percent of growth for the budget year beginning July  
32 1, 2013, is two percent. The state percent of growth for the  
33 budget year beginning July 1, 2014, is four percent. The state  
34 percent of growth for the budget year beginning July 1, 2015,  
35 is two and five-eighths percent. The state percent of growth

1 for the budget year beginning July 1, 2016, is four percent.  
 2 The state percent of growth for each subsequent budget year  
 3 shall be established by statute which shall be enacted within  
 4 thirty days of the submission in the year preceding the  
 5 base year of the governor's budget under section 8.21. The  
 6 establishment of the state percent of growth for a budget year  
 7 shall be the only subject matter of the bill which enacts the  
 8 state percent of growth for a budget year.

9     2. *Categorical state percent of growth.* ~~The categorical~~  
 10 ~~state percent of growth for the budget year beginning July 1,~~  
 11 ~~2012, is two percent.~~ The categorical state percent of growth  
 12 for the budget year beginning July 1, 2013, is two percent.  
 13 The categorical state percent of growth for the budget year  
 14 beginning July 1, 2014, is four percent. The categorical  
 15 state percent of growth for the budget year beginning July  
 16 1, 2015, is two and five-eighths percent. The categorical  
 17 percent of growth for the budget year beginning July 1, 2016,  
 18 is four percent. The categorical state percent of growth for  
 19 each budget year shall be established by statute which shall  
 20 be enacted within thirty days of the submission in the year  
 21 preceding the base year of the governor's budget under section  
 22 8.21. The establishment of the categorical state percent of  
 23 growth for a budget year shall be the only subject matter of  
 24 the bill which enacts the categorical state percent of growth  
 25 for a budget year. The categorical state percent of growth  
 26 may include state percents of growth for the teacher salary  
 27 supplement, the professional development supplement, the early  
 28 intervention supplement, and the teacher leadership supplement.

29     Sec. 63. CODE SECTION 257.8 — IMPLEMENTATION. The  
 30 requirements of section 257.8, subsections 1 and 2, regarding  
 31 the enactment of bills establishing the regular program state  
 32 percent of growth and the categorical state percent of growth  
 33 within thirty days of the submission in the year preceding  
 34 the base year of the governor's budget and the subject matter  
 35 limitation of bills establishing the state percent of growth

1 and the categorical state percent of growth do not apply to  
2 this division of this Act.

3 Sec. 64. EFFECTIVE UPON ENACTMENT. This division of this  
4 Act, being deemed of immediate importance, takes effect upon  
5 enactment.

6 DIVISION IX

7 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

8 Sec. 65. STREET CONSTRUCTION FUND — APPROPRIATION.

9 1. In a written application to the treasurer of state  
10 submitted by October 1, 2015, a city may request an  
11 additional distribution of moneys to be credited to the street  
12 construction fund of the city equal to that additional amount,  
13 calculated by the treasurer, that the city would have received  
14 if the funds were apportioned based upon the population of the  
15 city as determined by section 312.3, subsection 2, paragraph  
16 "d", for the months prior to the effective date of this  
17 division of this Act.

18 2. Upon determination by the treasurer of state that an  
19 additional amount should be credited to a city as provided by  
20 this section, there is appropriated from the general fund of  
21 the state to the department of transportation, for the fiscal  
22 year beginning July 1, 2015, and ending June 30, 2016, an  
23 amount sufficient to pay the additional amount which shall be  
24 distributed to the city for deposit in the street construction  
25 fund of the city.

26 Sec. 66. EFFECTIVE UPON ENACTMENT. This division of this  
27 Act, being deemed of immediate importance, takes effect upon  
28 enactment.

29 Sec. 67. RETROACTIVE APPLICABILITY. This division of this  
30 Act applies retroactively to March 2011.

31 DIVISION X

32 DRUG OVERDOSE PREVENTION

33 Sec. 68. Section 85.27, Code 2015, is amended by adding the  
34 following new subsection:

35 NEW SUBSECTION. 1A. If an employee receives care pursuant

1 to subsection 1 and the treating physician or other health care  
2 professional reasonably believes, based on such physician's or  
3 other health care professional's professional judgment, that  
4 the employee is at risk of an opioid-related overdose due to  
5 the work-related injury or the treatment of the work-related  
6 injury, the cost of an opioid antagonist shall be paid by the  
7 employer or the employer's insurance carrier. For purposes  
8 of this subsection, "*opioid antagonist*" and "*opioid-related*  
9 *overdose*" mean the same as defined in section 124.418.

10 Sec. 69. NEW SECTION. 124.417 **Persons seeking medical**  
11 **assistance for drug-related overdose.**

12 1. As used in this section, unless the context otherwise  
13 requires:

14 *a. "Drug-related overdose"* means a condition of a person for  
15 which each of the following is true:

16 (1) The person is in need of medical assistance.

17 (2) The person displays symptoms including but not limited  
18 to extreme physical illness, pinpoint pupils, decreased level  
19 of consciousness including coma, or respiratory depression.

20 (3) The person's condition is the result of, or a prudent  
21 layperson would reasonably believe such condition to be the  
22 result of, the consumption or use of a controlled substance.

23 *b. "Overdose patient"* means a person who is, or would  
24 reasonably be perceived to be, suffering a drug-related  
25 overdose.

26 *c. "Overdose reporter"* means a person who seeks medical  
27 assistance for an overdose patient.

28 *d. "Protected information"* means information or evidence  
29 collected or derived as a result of any of the following:

30 (1) An overdose patient's good-faith actions to seek  
31 medical assistance while experiencing a drug-related overdose.

32 (2) An overdose reporter's good-faith actions to seek  
33 medical assistance for an overdose patient experiencing a  
34 drug-related overdose if all of the following are true:

35 (a) The overdose patient is in need of medical assistance

1 for an immediate health or safety concern.

2 (b) The overdose reporter is the first person to seek  
3 medical assistance for the overdose patient.

4 (c) The overdose reporter provides the overdose reporter's  
5 name and contact information to medical or law enforcement  
6 personnel.

7 (d) The overdose reporter remains on the scene until  
8 assistance arrives or is provided.

9 (e) The overdose reporter cooperates with law enforcement  
10 and medical personnel.

11 2. Protected information shall not be considered to support  
12 probable cause and shall not be admissible as evidence against  
13 an overdose patient or overdose reporter for any of the  
14 following offenses:

15 a. Violation of section 124.401, subsection 1.

16 b. Possession of a controlled substance under section  
17 124.401, subsection 5.

18 c. Violation of section 124.407.

19 d. Violation of section 124.414.

20 3. A person's pretrial release, probation, supervised  
21 release, or parole shall not be revoked based on protected  
22 information.

23 4. Notwithstanding any other provision of law to the  
24 contrary, the act of providing first aid or other medical  
25 assistance to someone who is experiencing a drug-related  
26 overdose may be considered by a court as a mitigating factor in  
27 a criminal prosecution.

28 5. This section shall not be construed to limit the use or  
29 admissibility of any evidence in a criminal case other than as  
30 provided in subsection 2.

31 Sec. 70. NEW SECTION. **124.418 Possession of an opioid**  
32 **antagonist.**

33 1. For purposes of this section:

34 a. "*Health care professional*" means a physician and surgeon  
35 or osteopathic physician and surgeon licensed under chapter

1 148, physician assistant licensed under chapter 148C, advanced  
2 registered nurse practitioner licensed under chapter 152 or  
3 152E, or pharmacist licensed under chapter 155A.

4 *b. "Opioid antagonist"* means a drug that binds to opioid  
5 receptors and blocks or inhibits the effects of opioids acting  
6 on those receptors, including but not limited to naloxone  
7 hydrochloride or any other similarly acting drug approved by  
8 the United States food and drug administration.

9 *c. "Opioid-related overdose"* means a condition of a person  
10 for which each of the following is true:

11 (1) The person requires medical assistance.

12 (2) The person displays symptoms including but not limited  
13 to extreme physical illness, pinpoint pupils, decreased level  
14 of consciousness including coma, or respiratory depression.

15 (3) The person's condition is the result of, or a prudent  
16 layperson would reasonably believe the person's condition to  
17 be the result of, consumption or use of an opioid or another  
18 substance with which an opioid was combined.

19 2. Notwithstanding the provisions of this chapter or any  
20 other law, a person may possess an opioid antagonist if each of  
21 the following is true:

22 *a.* The opioid antagonist is prescribed, dispensed,  
23 furnished, distributed, or otherwise provided by a health  
24 care professional otherwise authorized to prescribe an opioid  
25 antagonist, either directly, by standing order, or through a  
26 collaborative agreement.

27 *b.* The person is a family member or friend of, or  
28 other person in a position to assist, a person at risk of  
29 experiencing an opioid-related overdose.

30 **Sec. 71. NEW SECTION. 135.181 Standards and reports on**  
31 **opioid antagonist use.**

32 1. For purposes of this section:

33 *a.* "Emergency medical services" means the same as defined  
34 in section 147A.1.

35 *b.* "First responder" means emergency medical personnel,

1 state and local law enforcement personnel, or fire department  
2 personnel who provide emergency medical services.

3 *c. "Health care professional"* means a physician and surgeon  
4 or osteopathic physician and surgeon licensed under chapter  
5 148, physician assistant licensed under chapter 148C, advanced  
6 registered nurse practitioner licensed under chapter 152 or  
7 152E, or pharmacist licensed under chapter 155A.

8 *d. "Opioid antagonist"* means the same as defined in section  
9 124.418.

10 2. The department shall develop standards for recordkeeping  
11 and reporting of opioid antagonist use by first responders in  
12 this state, and shall provide an annual report to the general  
13 assembly with recommendations regarding the use of opioid  
14 antagonists in this state.

15 3. The department shall consult with health care  
16 professional organizations, organizations representing first  
17 responders, and other groups as determined by the department  
18 to develop protocols and instructions for the administration  
19 of an opioid antagonist by a person who is not a health care  
20 professional or a first responder. The department shall make  
21 the protocols and instructions developed pursuant to this  
22 subsection publicly available on the department's internet  
23 site.

24 Sec. 72. Section 147.107, Code 2015, is amended by adding  
25 the following new subsection:

26 NEW SUBSECTION. 5A. *a.* For purposes of this subsection:

27 (1) *"Opioid antagonist"* means the same as defined in section  
28 124.418.

29 (2) *"Opioid-related overdose"* means the same as defined in  
30 section 124.418.

31 *b.* Notwithstanding subsection 1 or any other provision  
32 of law, a health care professional otherwise authorized to  
33 prescribe an opioid antagonist may directly, by standing order,  
34 or through collaborative agreement, prescribe, dispense,  
35 furnish, or otherwise provide an opioid antagonist to a person

1 at risk of experiencing an opioid-related overdose or to a  
2 family member or friend of, or other person whom the health  
3 care professional believes to be in a position to assist, a  
4 person at risk of experiencing an opioid-related overdose.  
5 Any such prescription shall be deemed as being issued for a  
6 legitimate medical purpose in the usual course of professional  
7 practice.

8     *c.* A health care professional who prescribes an opioid  
9 antagonist shall document the reasons for the prescription or  
10 standing order.

11     *d.* A pharmacist who dispenses, furnishes, or otherwise  
12 provides an opioid antagonist pursuant to a valid prescription,  
13 standing order, or collaborative agreement shall provide  
14 instruction to the recipient in accordance with the protocols  
15 and instructions developed by the department of public health  
16 under section 135.181.

17     *e.* A health care professional who is licensed to prescribe  
18 an opioid antagonist shall not be subject to any disciplinary  
19 action or civil or criminal liability for prescribing an opioid  
20 antagonist to a person whom the health care professional  
21 reasonably believes may be in a position to assist or  
22 administer the opioid antagonist to a person at risk of an  
23 opioid-related overdose.

24     Sec. 73. Section 147A.10, Code 2015, is amended by adding  
25 the following new subsection:

26     NEW SUBSECTION. 4. *a.* For purposes of this subsection:

27     (1) "*Opioid antagonist*" means the same as defined in section  
28 124.418.

29     (2) "*Opioid-related overdose*" means the same as defined in  
30 section 124.418.

31     *b.* An emergency medical care provider or a law enforcement  
32 officer who has been trained in the administration of an opioid  
33 antagonist and acts with reasonable care in administering an  
34 opioid antagonist to another person who the emergency medical  
35 care provider or law enforcement officer believes in good faith

1 to be suffering an opioid-related overdose shall not be subject  
2 to civil liability, disciplinary action, or a civil or criminal  
3 penalty for an act or omission related to or resulting from the  
4 administration.

5 Sec. 74. NEW SECTION. 155A.45 Administration of an opioid  
6 antagonist.

7 1. For purposes of this section:

8 a. "*Opioid antagonist*" means the same as defined in section  
9 124.418.

10 b. "*Opioid-related overdose*" means the same as defined in  
11 section 124.418.

12 2. A person who is not otherwise licensed by an appropriate  
13 state board to prescribe, dispense, or administer opioid  
14 antagonists to patients may, in an emergency, administer an  
15 opioid antagonist to another person if the person believes in  
16 good faith that the other person is suffering an opioid-related  
17 overdose, and the person shall not be subject to civil  
18 liability, disciplinary action, or a civil or criminal penalty  
19 for an act or omission related to or resulting from the  
20 administration of an opioid antagonist.

21 Sec. 75. Section 249A.20A, Code 2015, is amended by adding  
22 the following new subsection:

23 NEW SUBSECTION. 12. a. For purposes of this subsection,  
24 "*opioid antagonist*" means the same as defined in section  
25 124.418.

26 b. Notwithstanding anything in this section to the contrary,  
27 the department shall include an opioid antagonist, including  
28 any device integral to its administration, on the preferred  
29 drug list. Reimbursement under the medical assistance program  
30 shall be provided through existing resources.

31 c. A prescription for an opioid antagonist shall not be  
32 subject to prior authorization or other utilization management  
33 if the prescriber deems the opioid antagonist medically  
34 necessary.

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DIVISION XI

COUNTY COURTHOUSES

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Sec. 76. Section 602.6105, subsection 2, Code 2015, is amended to read as follows:

2. In any county having two county seats, court shall be held at each, ~~and, in the county of Pottawattamie, court shall be held at Avoca, as well as at the county seat.~~

Sec. 77. REPEAL. 1884 Iowa Acts, chapter 198, is repealed.

DIVISION XII

REFUGEE FAMILY SUPPORT SERVICES

Sec. 78. REFUGEE FAMILY SUPPORT SERVICES PILOT PROGRAM.

1. The bureau of refugee services within the department of human services shall establish, promote, and administer a refugee family support services pilot program for purposes of providing a grant to a state, local, or community organization working with refugee populations to contract with and train multiple refugees to act as refugee community navigators.

2. An organization awarded a grant pursuant to this section shall recruit and train multiple refugee community navigators to educate and provide direct assistance to their respective refugee communities so the refugee communities can successfully access and utilize existing community resources and services.

3. The refugee community navigators shall train other refugee community members and shall offer home-based, peer-group learning sessions about resources in the community.

4. A grant awarded pursuant to this section shall be used for employment costs of a program manager and community navigator coordinator, and contract and stipend costs for multiple refugee community navigators for each organization.

5. The bureau of refugee services shall award one grant to a state, local, or community organization through a competitive application process. The bureau shall provide moneys over a three-year period to an organization awarded a grant.

6. A state, local, or community organization awarded a grant pursuant to this section shall provide the bureau with annual progress reports. The bureau of refugee services shall present

1 a report of the program goals and outcomes to the general  
2 assembly.

3 7. The bureau of refugee services shall conduct a  
4 comprehensive review of the refugee family support services  
5 pilot program and shall, by December 31, 2017, submit a  
6 report of its review, as well as any recommendations and cost  
7 projections of its recommendations to the governor and the  
8 general assembly.

9 8. The bureau of refugee services may expend program moneys  
10 for administrative expenses as provided by law.

11 Sec. 79. REFUGEE FAMILY SUPPORT SERVICES PILOT PROGRAM  
12 APPROPRIATION. There is appropriated from the general fund of  
13 the state to the department of human services for the fiscal  
14 year beginning July 1, 2014, and ending June 30, 2015, the  
15 following amount, or so much thereof as is necessary, to be  
16 used for the purposes designated:

17 For a pilot project pursuant to the refugee family support  
18 services pilot project program created in this division of this  
19 Act in a county with a population over 350,000 as determined by  
20 the 2010 federal decennial census:

21 ..... \$ 750,000

22 Of the moneys appropriated for each fiscal year, \$40,000 may  
23 be used for bureau of refugee services' administration costs  
24 for establishing, promoting, and administering the program.

25 Notwithstanding section 8.33, moneys appropriated in this  
26 section that remain unencumbered or unobligated at the close of  
27 the fiscal year shall not revert but shall remain available for  
28 expenditure for the purposes designated until the close of the  
29 succeeding fiscal year.

30 Sec. 80. EFFECTIVE UPON ENACTMENT. This division of this  
31 Act, being deemed of immediate importance, takes effect upon  
32 enactment.

33 DIVISION XIII

34 DEPARTMENT OF MANAGEMENT — DUTIES

35 Sec. 81. Section 8.6, subsections 12 and 13, Code 2015, are

1 amended by striking the subsections.

2 Sec. 82. Section 8A.111, Code 2015, is amended by adding the  
3 following new subsection:

4 NEW SUBSECTION. 11. An annual report on the administration  
5 and promotion of equal opportunity in state contracts and  
6 services under section 19B.7.

7 Sec. 83. Section 19B.6, Code 2015, is amended to read as  
8 follows:

9 **19B.6 Responsibilities of department of administrative  
10 services and ~~department of management~~ — affirmative action.**

11 The department of administrative services shall oversee the  
12 implementation of sections 19B.1 through 19B.5 and shall work  
13 with the governor to ensure compliance with those sections,  
14 including the attainment of affirmative action goals and  
15 timetables, by all state agencies, excluding the state board  
16 of regents and its institutions. ~~The department of management  
17 shall oversee the implementation of sections 19B.1 through  
18 19B.5 and shall work with the governor to ensure compliance  
19 with those sections, including the attainment of affirmative  
20 action goals and timetables, by the state board of regents and  
21 its institutions.~~

22 Sec. 84. Section 19B.7, subsection 1, unnumbered paragraph  
23 1, Code 2015, is amended to read as follows:

24 Except as otherwise provided in subsection 2, the department  
25 of ~~management~~ administrative services is responsible for the  
26 administration and promotion of equal opportunity in all state  
27 contracts and services and the prohibition of discriminatory  
28 and unfair practices within any program receiving or benefiting  
29 from state financial assistance in whole or in part. In  
30 carrying out these responsibilities the department of  
31 ~~management~~ administrative services shall:

32 Sec. 85. Section 19B.8, Code 2015, is amended to read as  
33 follows:

34 **19B.8 Sanctions.**

35 The department of ~~management~~ administrative services may

1 impose appropriate sanctions on individual state agencies,  
2 including the state board of regents and its institutions, and  
3 upon a community college, area education agency, or school  
4 district, in order to ensure compliance with state programs  
5 emphasizing equal opportunity through affirmative action,  
6 contract compliance policies, and requirements for procurement  
7 goals for targeted small businesses.

8 DIVISION XIV

9 CLAIMS AGAINST THE STATE AND BY THE STATE

10 Sec. 86. Section 8.55, subsection 3, paragraph a, Code 2015,  
11 is amended to read as follows:

12 a. Except as provided in paragraphs "b", "c", and "d", and  
13 "0e", the moneys in the Iowa economic emergency fund shall  
14 only be used pursuant to an appropriation made by the general  
15 assembly. An appropriation shall only be made for the fiscal  
16 year in which the appropriation is made. The moneys shall  
17 only be appropriated by the general assembly for emergency  
18 expenditures.

19 Sec. 87. Section 8.55, subsection 3, Code 2015, is amended  
20 by adding the following new paragraph:

21 NEW PARAGRAPH. 0e. There is appropriated from the Iowa  
22 economic emergency fund to the state appeal board an amount  
23 sufficient to pay claims authorized by the state appeal board  
24 as provided in section 25.2.

25 Sec. 88. Section 25.2, subsection 4, Code 2015, is amended  
26 to read as follows:

27 4. Payments authorized by the state appeal board shall be  
28 paid from the appropriation or fund of original certification  
29 of the claim. However, if that appropriation or fund has since  
30 reverted under section 8.33, then such payment authorized by  
31 the state appeal board shall be ~~out of any money in the state~~  
32 ~~treasury not otherwise appropriated~~ as follows:

33 a. From the appropriation made from the Iowa economic  
34 emergency fund in section 8.55 for purposes of paying such  
35 expenses.

1 b. To the extent the appropriation from the Iowa economic  
2 emergency fund described in paragraph "a" is insufficient to  
3 pay such expenses, there is appropriated from moneys in the  
4 general fund of the state not otherwise appropriated the amount  
5 necessary to fund the deficiency.

6 DIVISION XV

7 STATE GEOLOGICAL SURVEY

8 Sec. 89. Section 456.1, Code 2015, is amended by striking  
9 the section and inserting in lieu thereof the following:

10 **456.1 Geological survey created — definitions.**

11 1. A state geological survey is created within the IIHR —  
12 hydroscience and engineering unit of the university of Iowa  
13 college of engineering.

14 2. As used in this chapter, unless the context otherwise  
15 requires:

16 a. "Director" means the director of the unit.

17 b. "Unit" means the IIHR — hydroscience and engineering  
18 unit of the university of Iowa college of engineering.

19 Sec. 90. NEW SECTION. 456.1B Mission.

20 1. It is the mission of the state geological survey to  
21 plan and implement initiatives that result in the acquisition  
22 of comprehensive information regarding the mineral and water  
23 resources of this state, with an emphasis on water supply  
24 developments and monitoring the effects of environmental  
25 impacts on water quality in a politically independent manner.  
26 The state geological survey shall endeavor to enhance this  
27 state's economy through the enlightened development and  
28 management of this state's precious geological and hydrological  
29 resources, while providing a clean and healthy environment for  
30 Iowa's citizens.

31 2. The state geological survey shall analyze, interpret,  
32 and make available to the public, private sector, and public  
33 policymakers publications, consultant services, and a library  
34 of databases in order to improve the integration, and analysis  
35 of natural resource information in a manner that improves

1 decisions affecting the management, development and protection  
2 of Iowa's natural resources.

3 Sec. 91. NEW SECTION. **456.1C Cooperation.**

4 The state geological survey shall cooperate with federal  
5 and state agencies to maximize the benefits derived from  
6 resource assessments and to expand educational and technology  
7 transfer programs. The survey shall cooperate with all of the  
8 following:

9 1. For the federal government, the United States department  
10 of agriculture, and United States geological survey.

11 2. For institutions under the control of the state board of  
12 regents, the Iowa flood center established in section 466C.1,  
13 the state hygienic laboratory as provided in section 263.7, and  
14 the state archaeologist appointed pursuant to section 263B.1.

15 Sec. 92. NEW SECTION. **456.1D Administration.**

16 1. For administrative purposes, the state geological  
17 survey shall be located in or in proximity to Iowa City. The  
18 president of the university shall cooperate with the director  
19 to provide office space, staff assistance, and necessary  
20 supplies and equipment.

21 2. The state geologist may establish divisions within  
22 the state geological survey and positions within the  
23 division, which may provide for geological studies,  
24 stratigraphy and economic geology, water resources, technical  
25 services, administrative services, and contracts and grants  
26 administration.

27 Sec. 93. Section 456.4, Code 2015, is amended to read as  
28 follows:

29 **456.4 Investigations — collection — renting space.**

30 The state geologist shall investigate the characters of the  
31 various soils and their capacities for agricultural purposes,  
32 the streams, and other scientific and natural resource matters  
33 that may be of practical importance and interest. For the  
34 purpose of preserving well drilling samples, rock cores,  
35 fossils, and other materials as may be necessary to carry on

1 investigations, the state geologist shall have the authority  
2 to lease or rent sufficient space for storage of these  
3 materials with the approval of the director ~~of the department~~  
4 ~~of administrative services~~. A complete cabinet collection  
5 may be made to illustrate the natural products of the state,  
6 and the state geologist may also furnish suites of materials,  
7 rocks, and fossils for colleges and public museums within the  
8 state, if it can be done without impairing the general state  
9 collection.

10 Sec. 94. Section 456.7, Code 2015, is amended to read as  
11 follows:

12 **456.7 Annual report.**

13 The state geologist shall, annually, at the time provided  
14 by law, make to the director and to the governor a full  
15 report of the work in the preceding year, which report shall  
16 be accompanied by such other reports and papers as may be  
17 considered desirable for publication.

18 Sec. 95. Section 456.10, Code 2015, is amended to read as  
19 follows:

20 **456.10 Distribution and sale of reports.**

21 All publications of the geological survey shall be  
22 distributed by the state geologist as are other published  
23 reports of state officers when no special provision is made.  
24 When such distribution has been made the state geologist shall  
25 retain a sufficient number of copies to supply probable future  
26 demands and any copies in excess of such number shall be sold  
27 to persons making application therefor at the cost price of  
28 publication, the money thus accruing to be turned into the  
29 treasury of the state.

30 **Sec. 96. ADMINISTRATIVE RULES — TRANSITION PROVISIONS.**

31 1. Any rule, regulation, form, order, or directive  
32 promulgated by the department of natural resources as required  
33 to administer and enforce the provisions of chapter 456 shall  
34 continue in full force and effect until amended, repealed, or  
35 supplemented by affirmative action of the state geological

1 survey.

2 2. An administrative hearing or court proceeding arising  
3 out of an enforcement action under section 455B.109 pending  
4 on the effective date of this division of this Act shall not  
5 be affected due to this division of this Act. Any cause of  
6 action or statute of limitation relating to an action taken by  
7 the department of natural resources shall not be affected as a  
8 result of this division of this Act and such cause or statute  
9 of limitation shall apply to the state geological survey.

10 3. Any personnel in the state merit system of employment who  
11 are mandatorily transferred due to the effect of this division  
12 of this Act shall be so transferred without any loss in salary,  
13 benefits, or accrued years of service.

14 4. Any replacement of signs, logos, stationery, insignia,  
15 uniforms, and related items that is made necessary due to the  
16 effect of this division of this Act shall be done as part of the  
17 normal replacement cycle for such items.

18 Sec. 97. STATE GEOLOGICAL SURVEY. There is appropriated  
19 from the general fund of the state to the university of Iowa  
20 for the fiscal year beginning July 1, 2015, and ending June 30,  
21 2016, the following amount, or so much thereof as is necessary,  
22 to be used for the purposes designated:

23 For the state geological survey, including salaries,  
24 support, maintenance, and miscellaneous purposes:  
25 ..... \$ 1,000,000

26 Moneys appropriated to the department of natural resources  
27 in 2015 Iowa Acts, Senate File 494, if enacted, for the fiscal  
28 year beginning July 1, 2015, for purposes of supporting the  
29 department including administration, regulation, and programs,  
30 are reduced by \$1,000,000.

31 Sec. 98. STATE GEOLOGICAL SURVEY. There is appropriated  
32 from the general fund of the state to the university of Iowa  
33 for the fiscal year beginning July 1, 2016, and ending June 30,  
34 2017, the following amount, or so much thereof as is necessary,  
35 to be used for the purposes designated:

1 For the state geological survey, including salaries,  
 2 support, maintenance, and miscellaneous purposes:  
 3 ..... \$ 500,000  
 4 Moneys appropriated to the department of natural resources  
 5 in 2015 Iowa Acts, Senate File 494, if enacted, for the fiscal  
 6 year beginning July 1, 2016, for purposes of supporting the  
 7 department including administration, regulation, and programs,  
 8 are reduced by \$500,000.

9 DIVISION XVI

10 REVIVAL OF USE RESTRICTIONS

11 Sec. 99. NEW SECTION. 564B.1 Definitions.

12 As used in this chapter, unless the context otherwise  
 13 requires:

14 1. "Bylaws" means the instruments, however denominated,  
 15 that contain the procedures for conducting the affairs of the  
 16 homeowners' association or the executive board regardless of  
 17 the form in which the homeowners' association is organized,  
 18 including any amendments to such instruments.

19 2. a. "Common interest community" means real estate  
 20 described in a declaration with respect to which a person, by  
 21 virtue of the person's ownership of a parcel, is obligated  
 22 to pay for a share of real estate taxes, insurance premiums,  
 23 maintenance, or improvement of, or services or other expenses  
 24 related to, common elements, other parcels, or other real  
 25 estate described in the declaration. "Common interest  
 26 community" includes a cooperative under chapter 499A and a  
 27 horizontal property regime under chapter 499B.

28 b. "Common interest community" does not include a covenant  
 29 that requires the owners of separate parcels of real estate to  
 30 share costs or other obligations related to a wall, driveway,  
 31 well, or other similar structure, unless all such owners  
 32 consent in writing to the creation of a common interest  
 33 community.

34 3. "Declaration" means a recorded written instrument in the  
 35 nature of covenants running with the land that subject the land

1 comprising the common interest community to the jurisdiction  
2 and control of a homeowners' association in which the owners of  
3 the parcels are required to be members.

4 4. "*Executive board*" means the body, regardless of name,  
5 designated in the declaration, formation document, or bylaws to  
6 act on behalf of the homeowners' association.

7 5. "*Formation document*" means the document filed with the  
8 secretary of state that creates a business entity, including  
9 but not limited to articles of incorporation, articles of  
10 organization, and a certificate of organization.

11 6. "*Homeowners' association*" means an entity responsible  
12 for the operation of a common interest community in which the  
13 voting membership is made up of parcel owners and in which  
14 membership is a mandatory condition of parcel ownership, and  
15 which is authorized to impose assessments that, if unpaid, may  
16 become a lien on the parcel.

17 7. "*Parcel*" means a physical portion of the common interest  
18 community designated for separate ownership or occupancy or  
19 as otherwise defined in the statute under which the common  
20 interest community is organized.

21 8. "*Parcel owner*" means the record owner of legal title to  
22 a parcel or, if the parcel is subject to a contract for deed,  
23 the vendee of the real estate contract. "*Parcel owner*" does  
24 not include a person having an interest in a parcel solely as  
25 security for an obligation.

26 9. "*Use restrictions*" means the same as defined in section  
27 614.24, subsection 5.

28 Sec. 100. NEW SECTION. 564B.2 Revival of use restrictions.

29 Parcel owners in a common interest community may revive use  
30 restrictions in a declaration that have become unenforceable  
31 by operation of section 614.24 if all of the following  
32 requirements are met:

33 1. All parcels which will be subject to the revived use  
34 restrictions were previously subject to the use restrictions.

35 2. The affected parcel owners approve the revived use

1 restrictions in the manner provided in this chapter.

2 Sec. 101. NEW SECTION. **564B.3 Procedure to revive use**  
3 **restrictions.**

4 1. The proposal to revive use restrictions may contain  
5 less than all of the use restrictions which have become  
6 unenforceable by operation of section 614.24, but shall not  
7 modify any use restriction sought to be revived.

8 2. The proposal to revive use restrictions in a declaration  
9 under the terms of this chapter may be initiated by either of  
10 the following:

11 a. The executive board.

12 b. The parcel owners, if a petition is signed by parcel  
13 owners who own at least ten percent of the parcels. Such  
14 petition shall include the language of the use restrictions  
15 proposed to be revived.

16 3. If a proposal is initiated under subsection 2, the  
17 executive board shall prepare or cause to be prepared the  
18 complete text of the proposed use restrictions to be submitted  
19 to the affected parcel owners for approval.

20 4. a. The executive board shall present or cause to be  
21 presented to all of the affected parcel owners, by mail or hand  
22 delivery, all of the following:

23 (1) A notice containing either the place, date, and time of  
24 the meeting at which the revival of the use restrictions will  
25 be considered and voted upon or instructions for an action by  
26 written ballot, including the last date that a written ballot  
27 will be accepted.

28 (2) A copy of the complete text of the use restrictions  
29 proposed to be revived.

30 (3) The existing declaration, formation document, and  
31 bylaws of the homeowners' association.

32 (4) A graphic depiction of the property and the parcels to  
33 be governed by the revived use restrictions.

34 (5) A statement that the use restrictions will be revived  
35 if parcel owners who own a majority of the affected parcels

1 approve revival.

2 *b.* The parcel owners entitled to receive notice and the  
3 materials described in paragraph "a" are the owners of affected  
4 parcels as of the close of business on the business day  
5 preceding the day on which notice is given.

6 5. The use restrictions shall be revived if the owners of  
7 a majority of the affected parcels approve the revived use  
8 restrictions by a vote at a meeting of the affected parcel  
9 owners conducted in the manner described in section 564B.4 or  
10 in an action by written ballot as described in section 564B.5.

11 **Sec. 102. NEW SECTION. 564B.4 Meetings to revive use**  
12 **restrictions.**

13 1. A vote to revive use restrictions shall not be held  
14 unless the parcel owners described in section 564B.3,  
15 subsection 4, paragraph "b", received the notice and documents  
16 specified in section 564B.3, subsection 4, not less than  
17 fourteen days or more than sixty days before such a vote.

18 2. A quorum shall be met if parcel owners who own a majority  
19 of the affected parcels are present at the meeting, either in  
20 person or by proxy.

21 3. The parcel owners entitled to vote at the meeting are the  
22 owners of affected parcels as of the date of the meeting.

23 4. At the meeting, there shall be one vote per parcel,  
24 regardless of the number of parcel owners who own such parcel.

25 5. *a.* The parcel owners have the right to vote in person  
26 or by proxy.

27 *b.* To be valid, a proxy must be dated, shall state the date,  
28 time, and place of the meeting for which the proxy was given,  
29 and shall be signed by the parcel owner. If a parcel is owned  
30 by more than one person, each owner of the parcel shall sign  
31 the proxy for such proxy to be valid.

32 *c.* A proxy is effective only for the specific meeting for  
33 which the proxy was originally given.

34 *d.* A proxy is revocable at any time at the discretion of a  
35 parcel owner who executed the proxy.

1 e. If the proxy form expressly so provides, any proxy holder  
2 may appoint, in writing, a substitute to act in the proxy  
3 holder's place.

4 Sec. 103. NEW SECTION. **564B.5 Action by written ballot.**

5 1. A vote to revive use restrictions may be taken without a  
6 meeting if the executive board delivers a written ballot with  
7 the notice and other documents required to be delivered under  
8 section 564B.3, subsection 4, to the owners of every affected  
9 parcel.

10 2. A written ballot shall set forth the use restrictions  
11 proposed to be revived and provide an opportunity to vote for  
12 or against revival.

13 3. One written ballot shall be provided for each parcel,  
14 regardless of the number of parcel owners who own such parcel.

15 4. The use restrictions shall be revived if the parcel  
16 owners of a majority of the affected parcels approve the  
17 revived use restrictions by written ballot.

18 5. The deadline for the written ballot to be received to  
19 be counted shall be at least fourteen days, but not more than  
20 sixty days, after the written ballot was delivered.

21 6. A written ballot that has been cast shall not be revoked.

22 Sec. 104. NEW SECTION. **564B.6 Recording and notice of**  
23 **recording.**

24 1. No later than thirty days after the parcel owners have  
25 approved the revival of the use restrictions, the executive  
26 board shall file the revived use restrictions with the recorder  
27 of each county in which the land comprising the common interest  
28 community is located.

29 2. Immediately after recording the revived use  
30 restrictions, the executive board shall mail or deliver, or  
31 shall cause to be mailed or delivered, a complete copy of the  
32 revived use restrictions to each parcel owner.

33 Sec. 105. NEW SECTION. **564B.7 Effect of revived use**  
34 **restrictions.**

35 1. The revived use restrictions shall be effective upon

1 recordation with respect to each affected parcel, regardless  
2 of whether an owner of an affected parcel approved the revived  
3 use restrictions.

4 2. The revived use restrictions shall not be given  
5 retroactive effect with respect to any affected parcel.

6 3. A use restriction revived under this chapter shall not be  
7 enforced against a parcel if each of the following are true:

8 a. A parcel owner made a good-faith investment that would be  
9 impaired by such enforcement.

10 b. The good-faith investment described in paragraph "a" was  
11 made after the use restriction was unenforceable under section  
12 614.24 and before the use restriction was revived pursuant to  
13 this chapter.

14 Sec. 106. Section 614.24, Code 2015, is amended by adding  
15 the following new subsection:

16 NEW SUBSECTION. 6. If use restrictions are revived pursuant  
17 to chapter 564B, the recording date for purposes of the  
18 twenty-one year limitation in subsection 1 shall be the date  
19 the revived use restrictions are recorded under section 564B.6,  
20 subsection 1.

21 Sec. 107. APPLICABILITY. This division of this Act applies  
22 to common interest communities created prior to, and still in  
23 existence on, July 1, 2015, and created on or after July 1,  
24 2015.

25 DIVISION XVII

26 INTEROPERABLE COMMUNICATIONS

27 Sec. 108. Section 80.28, subsection 2, unnumbered paragraph  
28 1, Code 2015, is amended to read as follows:

29 The board shall consist of ~~fifteen~~ seventeen voting members,  
30 as follows:

31 Sec. 109. Section 80.28, subsection 2, paragraph b,  
32 subparagraph (4), Code 2015, is amended to read as follows:

33 (4) Two members who are ~~law~~ public safety communication  
34 center managers employed by state or local government agencies.

35 Sec. 110. Section 80.28, subsection 2, paragraph b, Code

1 2015, is amended by adding the following new subparagraphs:

2 NEW SUBPARAGRAPH. (05) One member representing local  
3 emergency management coordinators.

4 NEW SUBPARAGRAPH. (005) One member representing emergency  
5 medical service providers.

6 DIVISION XVIII

7 HUMAN TRAFFICKING

8 Sec. 111. Section 80B.11, subsection 1, paragraph c, Code  
9 2015, is amended by adding the following new subparagraph:

10 NEW SUBPARAGRAPH. (4) In-service training under this  
11 paragraph "c" shall include the requirement that all law  
12 enforcement officers complete four hours of in-service training  
13 every five years related to domestic assault, sexual assault,  
14 human trafficking, stalking, and harassment. Such in-service  
15 training shall be approved by the academy in consultation  
16 with the Iowa coalition against sexual assault and the Iowa  
17 coalition against domestic violence.

18 Sec. 112. NEW SECTION. **692.23 Human trafficking**  
19 **information.**

20 The division of criminal and juvenile justice planning  
21 of the department of human rights shall collect and maintain  
22 criminal history data on incidents related to human trafficking  
23 in this state, and shall submit an annual report to the general  
24 assembly concerning the collected data. For purposes of this  
25 section, "*incidents related to human trafficking*" means criminal  
26 violations of section 710.5, 710.11, or 710A.2, section 725.1,  
27 subsection 2, or section 725.2 or 725.3, or violations of  
28 section 710.2, 710.3, or 710.4 if the victim was forced to  
29 provide labor or services or participate in commercial sexual  
30 activity.

31 Sec. 113. Section 702.11, subsection 1, Code 2015, is  
32 amended to read as follows:

33 1. A "*forcible felony*" is any felonious child endangerment,  
34 assault, murder, sexual abuse, kidnapping, robbery, arson in  
35 the first degree, ~~or~~ burglary in the first degree, or human

1 trafficking.

2       Sec. 114. NEW SECTION. 710A.6 **Outreach, public awareness,**  
3 **and training programs.**

4       The crime victim assistance division of the department of  
5 justice, in cooperation with other governmental agencies and  
6 nongovernmental or community organizations, shall develop and  
7 conduct outreach, public awareness, and training programs for  
8 the general public, law enforcement agencies, first responders,  
9 potential victims, and persons conducting or regularly dealing  
10 with businesses or other ventures that have a high statistical  
11 incidence of debt bondage or forced labor or services. The  
12 programs shall train participants to recognize and report  
13 incidents of human trafficking and to suppress the demand that  
14 fosters exploitation of persons and leads to human trafficking.

15       Sec. 115. Section 915.94, Code 2015, is amended to read as  
16 follows:

17       **915.94 Victim compensation fund.**

18       A victim compensation fund is established as a separate  
19 fund in the state treasury. Moneys deposited in the fund  
20 shall be administered by the department and dedicated to and  
21 used for the purposes of section 915.41 and this subchapter.  
22 In addition, the department may use moneys from the fund  
23 for the purpose of the department's prosecutor-based victim  
24 service coordination, including the duties defined in sections  
25 910.3 and 910.6 and this chapter, and for the award of funds  
26 to programs that provide services and support to victims of  
27 domestic abuse or sexual assault as provided in chapter 236,  
28 to victims under section 710A.2, and for the support of an  
29 automated victim notification system established in section  
30 915.10A. The For each fiscal year, the department may also  
31 use up to ~~one~~ three hundred thousand dollars from the fund  
32 to provide training for victim service providers, to provide  
33 training for related professionals concerning victim service  
34 programming, and to provide training concerning homicide,  
35 domestic assault, sexual assault, stalking, harassment,

1 and human trafficking as required by section 710A.6.

2 Notwithstanding section 8.33, any balance in the fund on June  
3 30 of any fiscal year shall not revert to the general fund of  
4 the state.

5

DIVISION XIX

6 SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INTERNSHIP

7 Sec. 116. Section 15.411, subsection 3, Code 2015, is  
8 amended to read as follows:

9 3. a. The authority shall establish and administer an  
10 internship program with two components for Iowa students.  
11 To the extent permitted by this subsection, the authority  
12 shall administer the two components in as similar a manner as  
13 possible. For purposes of this subsection, "Iowa student" means  
14 a student of an Iowa community college, private college, or  
15 institution of higher learning under the control of the state  
16 board of regents, or a student who graduated from high school  
17 in Iowa but now attends an institution of higher learning  
18 outside the state of Iowa.

19 b. The purpose of the first component of the program is  
20 to link Iowa students to small and medium sized Iowa firms  
21 through internship opportunities. An Iowa employer may receive  
22 financial assistance ~~in an amount of one dollar for every~~  
23 ~~two dollars paid by the employer to an intern~~ on a matching  
24 basis for a portion of the wages paid to an intern. If  
25 providing financial assistance, the authority shall provide  
26 the assistance on a reimbursement basis such that for every  
27 two dollars of wages earned by the student, one dollar paid by  
28 the employer is matched by one dollar from the authority. The  
29 amount of financial assistance shall not exceed three thousand  
30 one hundred dollars for any single internship, or nine thousand  
31 three hundred dollars for any single employer. In order to be  
32 eligible to receive financial assistance under this paragraph,  
33 the employer must have five hundred or fewer employees and must  
34 be an innovative business. The authority shall encourage youth  
35 who reside in economically distressed areas, youth adjudicated

1 to have committed a delinquent act, and youth transitioning out  
 2 of foster care to participate in the first component of the  
 3 internship program.

4 c. (1) The purpose of the second component of the program  
 5 is to assist in placing Iowa students studying in the fields  
 6 of science, technology, engineering, and mathematics into  
 7 internships that lead to permanent positions with Iowa  
 8 employers. The authority shall collaborate with eligible  
 9 employers, including but not limited to innovative businesses,  
 10 to ensure that the interns hired are studying in such fields.  
 11 An Iowa employer may receive financial assistance ~~in an amount~~  
 12 ~~of one dollar for every dollar paid by the employer to an~~  
 13 intern on a matching basis for a portion of the wages paid to  
 14 an intern. If providing financial assistance, the authority  
 15 shall provide the assistance on a reimbursement basis such  
 16 that for every two dollars of wages earned by the student,  
 17 one dollar paid by the employer is matched by one dollar from  
 18 the authority. The amount of financial assistance shall not  
 19 exceed five thousand dollars per internship. The authority may  
 20 adopt rules to administer this component. In adopting rules to  
 21 administer this component, the authority shall adopt rules as  
 22 similar as possible to those adopted pursuant to paragraph "b".

23 (2) The requirement to administer this component of the  
 24 internship program is contingent upon the provision of funding  
 25 for such purposes by the general assembly.

26 Sec. 117. EMERGENCY RULES. The economic development  
 27 authority may adopt emergency rules under section 17A.4,  
 28 subsection 3, and section 17A.5, subsection 2, paragraph "b",  
 29 to implement the provisions of this division of this Act and  
 30 the rules shall be effective immediately upon filing unless  
 31 a later date is specified in the rules. Any rules adopted  
 32 in accordance with this section shall also be published as a  
 33 notice of intended action as provided in section 17A.4.

34 Sec. 118. EFFECTIVE UPON ENACTMENT. This division of this  
 35 Act, being deemed of immediate importance, takes effect upon

1 enactment.

2 Sec. 119. RETROACTIVE APPLICABILITY. This division of this  
3 Act applies retroactively to July 1, 2014.

4 DIVISION XX

5 ANTIHARASSMENT AND ANTIBULLYING

6 Sec. 120. Section 256.9, Code 2015, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. 66. Subject to an appropriation of funds by  
9 the general assembly, ensure each school district has access to  
10 adequate training on conducting investigations of complaints of  
11 incidents of harassment or bullying pursuant to section 280.28  
12 by offering such training on an annual basis to at least one  
13 employee per district.

14 Sec. 121. NEW SECTION. 256.34 **Bullying and violence**  
15 **prevention student mentoring pilot program.**

16 1. Subject to an appropriation of funds by the general  
17 assembly, the department shall establish a student mentoring  
18 pilot program to explore how student leadership can help  
19 prevent bullying and violence in schools. The program shall  
20 promote best practices for bullying and violence prevention for  
21 middle and high school students.

22 2. The department shall establish the program in at least  
23 two middle schools and two high schools in the state. The  
24 selected schools shall include both urban and rural schools.

25 3. The department shall establish criteria for the  
26 selection of participating schools and evaluation of the  
27 program.

28 Sec. 122. Section 280.28, subsection 2, paragraphs a and c,  
29 Code 2015, are amended to read as follows:

30 a. "Electronic" means any communication involving the  
31 transmission of information by wire, radio, optical cable,  
32 electromagnetic, or other similar means. "Electronic" includes  
33 but is not limited to communication via electronic mail,  
34 internet-based communications including social networking  
35 sites, pager service, cell phones, ~~and~~ electronic text

1 messaging, or any other electronic communication site, device,  
2 or means.

3 *c. "Trait or characteristic of the student" includes but*  
4 *is not limited to age, color, creed, national origin, race,*  
5 *religion, marital status, sex, sexual orientation, gender*  
6 *identity, physical attributes, physical or mental ability or*  
7 *disability, ancestry, political party preference, political*  
8 *belief, socioeconomic status, ~~or~~ familial status, behavior, or*  
9 *any other distinguishing characteristic. This paragraph shall*  
10 *be construed broadly to achieve the purposes of this section.*

11 Sec. 123. Section 280.28, subsection 3, Code 2015, is  
12 amended by adding the following new paragraph:

13 NEW PARAGRAPH. *h. A procedure for the notification as*  
14 *soon as practicable of the parents or guardians of the alleged*  
15 *targeted students and perpetrators in a reported incident*  
16 *of harassment or bullying. The procedure shall include an*  
17 *exception to the notification requirement if a school official*  
18 *or a student whose parent or guardian would otherwise be*  
19 *notified reasonably believes notification would subject the*  
20 *student to rejection, abuse, or neglect.*

21 Sec. 124. Section 280.28, Code 2015, is amended by adding  
22 the following new subsections:

23 NEW SUBSECTION. *9. Authority off school grounds.*

24 *a. A school official may investigate and impose school*  
25 *discipline in a founded case of harassment or bullying that*  
26 *occurs outside of school, off of school property, or away from*  
27 *a school function or school-sponsored activity if all of the*  
28 *following apply:*

29 (1) An incident of harassment or bullying is reported  
30 pursuant to the school's policy adopted under subsection 3,  
31 paragraph "e".

32 (2) The alleged incident of harassment or bullying has  
33 an effect on a student on school grounds that creates an  
34 objectively hostile school environment that meets one or more  
35 of the conditions set out under subsection 2, paragraph "b".

1     *b.* A school official's investigation and response to an  
2 alleged incident of bullying or harassment that occurs outside  
3 of school, off of school property, or away from a school  
4 function or school-sponsored activity may include referring  
5 the matter to appropriate community-based agencies including  
6 but not limited to social services agencies, law enforcement  
7 agencies, and nonprofit organizations.

8     NEW SUBSECTION. 10. *Rule of construction.* This section  
9 shall not be construed to diminish a school administrator's  
10 discretion to impose discipline or take other action in the  
11 case of an unfounded incident of harassment or bullying if a  
12 student's behavior otherwise constitutes student misconduct  
13 based on other grounds.

14     Sec. 125. Section 282.18, subsection 11, Code 2015, is  
15 amended to read as follows:

16     11. A pupil who participates in open enrollment for purposes  
17 of attending a grade in grades nine through twelve in a school  
18 district other than the district of residence is ineligible to  
19 participate in varsity interscholastic athletic contests and  
20 athletic competitions during the pupil's first ninety school  
21 days of enrollment in the district except that the pupil may  
22 participate immediately in a varsity interscholastic sport if  
23 the pupil is entering grade nine for the first time and did  
24 not participate in an interscholastic athletic competition for  
25 another school or school district during the summer immediately  
26 following eighth grade, if the district of residence and the  
27 other school district jointly participate in the sport, if the  
28 sport in which the pupil wishes to participate is not offered  
29 in the district of residence, if the pupil chooses to use  
30 open enrollment to attend school in another school district  
31 because the district in which the student previously attended  
32 school was dissolved and merged with one or more contiguous  
33 school districts under section 256.11, subsection 12, if the  
34 pupil participates in open enrollment because the pupil's  
35 district of residence has entered into a whole grade sharing

1 agreement with another district for the pupil's grade, or if  
 2 the parent or guardian of the pupil participating in open  
 3 enrollment is an active member of the armed forces and resides  
 4 in permanent housing on government property provided by a  
 5 branch of the armed services, or if the district of residence  
 6 determines that the pupil was subject to a founded incident  
 7 of harassment or bullying as defined in section 280.28 while  
 8 attending school in the district of residence in the current or  
 9 previous school year and both the district of residence and the  
 10 other school district agree to allow the pupil to participate  
 11 immediately in a varsity interscholastic sport. A pupil who  
 12 has paid tuition and attended school, or has attended school  
 13 pursuant to a mutual agreement between the two districts,  
 14 in a district other than the pupil's district of residence  
 15 for at least one school year is also eligible to participate  
 16 immediately in interscholastic athletic contests and athletic  
 17 competitions under this section, but only as a member of a team  
 18 from the district that pupil had attended. For purposes of  
 19 this subsection, "*school days of enrollment*" does not include  
 20 enrollment in summer school. For purposes of this subsection,  
 21 "*varsity*" means the same as defined in section 256.46.

22 Sec. 126. SCHOOL CLIMATE AND BULLYING WORK GROUP.

23 1. The department of education shall convene a  
 24 public-private work group of representatives of state and local  
 25 agencies, citizens, community groups, and organizations who  
 26 have experience and expertise in the areas of antibullying  
 27 education, research, and training. The work group, after  
 28 reviewing existing research, data, and strategies, shall  
 29 provide recommendations to the department regarding best  
 30 practices, training, resources, additional research needs,  
 31 data collection, changes to state law and administrative  
 32 rules, and any other matters to enhance statewide school  
 33 climate improvement and bullying prevention, awareness, and  
 34 intervention.

35 2. The membership of the work group shall include but not be

1 limited to the following, to be appointed by the director:

2 a. At least three Iowans who are experts in research-based  
3 antibullying curricula or programs.

4 b. A public or nonpublic high school student.

5 c. A parent of a student enrolled in a public elementary or  
6 secondary school on a full-time basis.

7 d. A parent of a student enrolled in a nonpublic elementary  
8 or secondary school on a full-time basis.

9 e. A member from nominees submitted by the school  
10 administrators of Iowa.

11 f. A member from nominees submitted by the Iowa association  
12 of school boards.

13 g. A member from nominees submitted by the Iowa state  
14 education association.

15 h. Representatives from any organizations representing  
16 other relevant public or nonpublic school professionals.

17 i. A representative from a statewide organization that  
18 provides research-based training on bullying for school  
19 professionals.

20 j. A representative from at least one statewide  
21 organization with at least five years' experience in advocating  
22 on bullying prevention based on research-based best practices.

23 k. A representative for children placed in foster care.

24 l. A representative of school counselors.

25 m. A member from nominees submitted by the Iowa parent  
26 teacher association.

27 3. When making appointments to the work group, the director  
28 shall ensure that public, nonpublic, urban, and rural schools  
29 are adequately represented by the membership of the work group.

30 4. The work group shall also include two ex officio members  
31 of each house of the general assembly. One member each shall  
32 be selected by the majority leader of the senate and by the  
33 minority leader of the senate, and one member each shall be  
34 selected by the speaker of the house of representatives and by  
35 the minority leader of the house of representatives. Members

1 of the general assembly shall serve for terms as provided in  
2 section 69.16B and shall be entitled to receive per diem and  
3 necessary travel and actual expenses pursuant to section 2.10,  
4 subsection 5, while carrying out their official duties as  
5 members of the work group.

6 5. The department shall convene the work group by October  
7 1, 2015. The work group shall submit its findings and  
8 recommendations in a final report to the department and the  
9 chairpersons and ranking members of the senate and house  
10 education committees by December 15, 2016.

11 DIVISION XXI

12 SCHOOL DISTRICT PROPERTY TAX

13 REPLACEMENT PAYMENTS

14 Sec. 127. Section 257.16B, subsection 2, paragraph c,  
15 unnumbered paragraph 1, as enacted by 2015 Iowa Acts, Senate  
16 File 173, section 3, is amended to read as follows:

17 For each the budget year beginning ~~on or after~~ July 1, 2015,  
18 ~~unless otherwise provided by law~~, the department of management  
19 shall calculate for each school district all of the following:

20 Sec. 128. Section 257.16B, subsection 2, paragraph c,  
21 subparagraph (3), as enacted by 2015 Iowa Acts, Senate File  
22 173, section 3, is amended to read as follows:

23 (3) The amount of each school district's property tax  
24 replacement payment. Each school district's property tax  
25 replacement payment equals the school district's weighted  
26 enrollment for the budget year beginning July 1, 2015,  
27 multiplied by the remainder of the amount calculated for  
28 the school district under subparagraph (2) minus the amount  
29 calculated for the school district under subparagraph (1).

30 Sec. 129. Section 257.16B, subsection 2, Code 2015, is  
31 amended by adding the following new paragraph:

32 NEW PARAGRAPH. *d.* For each budget year beginning on  
33 or after July 1, 2016, the department of management shall  
34 calculate for each school district all of the following:

35 (1) The regular program state cost per pupil for the budget

1 year beginning July 1, 2012, multiplied by one hundred percent  
2 less the regular program foundation base per pupil percentage  
3 pursuant to section 257.1.

4 (2) The regular program state cost per pupil for the budget  
5 year beginning July 1, 2016, multiplied by one hundred percent  
6 less the regular program foundation base per pupil percentage  
7 pursuant to section 257.1.

8 (3) The amount of each school district's property tax  
9 replacement payment. Each school district's property tax  
10 replacement payment equals the school district's weighted  
11 enrollment for the budget year multiplied by the remainder  
12 of the amount calculated for the school district under  
13 subparagraph (2) minus the amount calculated for the school  
14 district under subparagraph (1).

15 DIVISION XXII

16 CONTROLLED SUBSTANCES

17 Sec. 130. Section 124.201, subsection 4, Code 2015, is  
18 amended to read as follows:

19 4. If any new substance is designated as a controlled  
20 substance under federal law and notice of the designation is  
21 given to the board, the board shall similarly designate as  
22 controlled the new substance under this chapter after the  
23 expiration of thirty days from publication in the federal  
24 register of a final order designating a new substance as a  
25 controlled substance, unless within that thirty-day period  
26 the board objects to the new designation. In that case the  
27 board shall publish the reasons for objection and afford  
28 all interested parties an opportunity to be heard. At  
29 the conclusion of the hearing the board shall announce its  
30 decision. Upon publication of objection to a new substance  
31 being designated as a controlled substance under this chapter  
32 by the board, control under this chapter is stayed until the  
33 board publishes its decision. If a substance is designated  
34 as controlled by the board under this subsection the control  
35 shall be considered a temporary and ~~if, within sixty days after~~

~~1 the next regular session of the general assembly convenes,~~  
~~2 the general assembly has not made the corresponding changes~~  
~~3 in this chapter, the temporary designation of control of~~  
~~4 the substance by the board shall be nullified~~ amendment to  
~~5 the schedules of controlled substances in this chapter. If~~  
~~6 the board so designates a substance as controlled, which~~  
~~7 is considered a temporary amendment to the schedules of~~  
~~8 controlled substances in this chapter, and if the general~~  
~~9 assembly does not amend this chapter to enact the temporary~~  
~~10 amendment and make the enactment effective within two years~~  
~~11 from the date the temporary amendment first became effective,~~  
~~12 the temporary amendment is repealed by operation of law two~~  
~~13 years from the effective date of the temporary amendment. A~~  
~~14 temporary amendment repealed by operation of law is subject to~~  
~~15 section 4.13 relating to the construction of statutes and the~~  
~~16 application of a general savings provision.~~

17 Sec. 131. Section 124.204, subsection 4, Code 2015, is  
 18 amended by adding the following new paragraphs:

19 NEW PARAGRAPH. *al.* 4-methyl-N-ethylcathinone. Other names:  
 20 4-MEC, 2-(ethylamino)-1-(4-methylphenyl)propan-1-one.

21 NEW PARAGRAPH. *am.* 4-methyl-alpha-  
 22 pyrrolidinopropiophenone. Other names: 4-MePPP,  
 23 MePPP, 4-methyl-[alpha]-pyrrolidinopropiophenone,  
 24 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one.

25 NEW PARAGRAPH. *an.* Alpha-pyrrolidinopentiophenone.  
 26 Other names: [alpha]-PVP, [alpha]-pyrrolidinovalerophenone,  
 27 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one.

28 NEW PARAGRAPH. *ao.* Butylone. Other names: bk-MBDB,  
 29 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one.

30 NEW PARAGRAPH. *ap.* Pentedrone. Other  
 31 names: [alpha]-methylaminovalerophenone,  
 32 2-(methylamino)-1-phenylpentan-1-one.

33 NEW PARAGRAPH. *aq.* Pentylone. Other names: bk-MBDP,  
 34 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one.

35 NEW PARAGRAPH. *ar.* 4-fluoro-N-methylcathinone.

1 Other names: 4-FMC, flephedrone,

2 1-(4-fluorophenyl)-2-(methylamino)propan-1-one.

3 NEW PARAGRAPH. *as.* 3-fluoro-N-methylcathinone. Other

4 names: 3-FMC, 1-(3-fluorophenyl)-2-(methylamino)propan-1-one.

5 NEW PARAGRAPH. *at.* Naphyrone. Other names:

6 naphthylpyrovalerone, 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)

7 pentan-1-one.

8 NEW PARAGRAPH. *au.* Alpha-pyrrolidinobutiophenone. Other

9 names: [alpha]-PBP, 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one.

10 Sec. 132. Section 124.204, subsection 9, Code 2015, is

11 amended by adding the following new paragraphs:

12 NEW PARAGRAPH. *g.* Quinolin-8-yl 1-pentyl-1H-indole-

13 3-carboxylate. Other names: PB-22, QUPIC.

14 NEW PARAGRAPH. *h.* Quinolin-8-yl 1-(5-fluoropentyl)-1H-

15 indole-3-carboxylate. Other names: 5-fluoro-PB-22, 5F-PB-22.

16 NEW PARAGRAPH. *i.* N-(1-amino-3-methyl-1-

17 oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide.

18 Other name: AB-FUBINACA.

19 NEW PARAGRAPH. *j.* N-(1-amino-3,3-dimethyl-1-

20 oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide. Other name:

21 ADB-PINACA.

22 Sec. 133. Section 124.208, subsection 5, paragraph a,

23 subparagraphs (3) and (4), Code 2015, are amended by striking

24 the subparagraphs.

25 Sec. 134. Section 124.210, subsection 2, Code 2015, is

26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. *c.* 2-[(dimethylamino)methyl]-1-

28 (3-methoxyphenyl)cyclohexanol, its salts, optical and geometric  
29 isomers, and salts of these isomers (including tramadol).

30 Sec. 135. Section 124.210, subsection 3, Code 2015, is

31 amended by adding the following new paragraphs:

32 NEW PARAGRAPH. *bb.* Alfaxalone.

33 NEW PARAGRAPH. *bc.* Suvorexant.

34 DIVISION XXIII

35 GREYHOUND RACING

1     Sec. 136. Section 99D.9C, subsection 2, paragraph a, Code  
2 2015, is amended to read as follows:

3     a. The Iowa greyhound association shall establish an  
4 escrow fund under its control for the receipt and deposit  
5 of moneys transferred to the Iowa greyhound association  
6 pursuant to section 99D.9B. The Iowa greyhound association  
7 shall use moneys in the escrow fund to pay all reasonable  
8 and necessary costs and fees associated with conducting live  
9 racing and pari-mutuel wagering on simultaneously telecast  
10 horse or dog races, including but not limited to regulatory and  
11 administrative fees, capital improvements, purse supplements,  
12 operational costs, obligations pursuant to any purse supplement  
13 agreement as amended and approved by the commission, payment  
14 of rents for leased facilities and costs of maintenance of  
15 leased facilities, payment for products and services provided  
16 by the licensee authorized to conduct gambling games in Dubuque  
17 county pursuant to section 99F.4A, subsection 9, costs to  
18 maintain the license, costs for posting a bond as required by  
19 section 99D.10, and administrative costs and fees incurred  
20 in connection with the pursuit of the continuation of live  
21 greyhound racing. Notwithstanding any action taken by the  
22 commission prior to the effective date of this Act regarding  
23 the escrow fund created pursuant to an arbitrator decision  
24 and award dated December 22, 1995, all moneys in the escrow  
25 fund created pursuant to the arbitrator decision and award  
26 shall be transferred to the escrow fund created pursuant to  
27 this subsection and shall be administered pursuant to this  
28 subsection. The Iowa greyhound association shall take all  
29 action necessary to facilitate the transfer of moneys.

30     Sec. 137. EFFECTIVE UPON ENACTMENT. This division of this  
31 Act, being deemed of immediate importance, takes effect upon  
32 enactment.

33                                   DIVISION XXIV

34                           INTERSTATE MEDICAL LICENSURE COMPACT

35     Sec. 138. NEW SECTION. 148G.1 Interstate medical licensure

1 compact.

2 1. *Purpose.*

3 a. In order to strengthen access to health care, and in  
4 recognition of the advances in the delivery of health care,  
5 the member states of the interstate medical licensure compact  
6 have allied in common purpose to develop a comprehensive  
7 process that complements the existing licensing and regulatory  
8 authority of state medical boards and provides a streamlined  
9 process that allows physicians to become licensed in multiple  
10 states, thereby enhancing the portability of a medical license  
11 and ensuring the safety of patients. The compact creates  
12 another pathway for licensure and does not otherwise change  
13 a state's existing medical practice act. The compact also  
14 adopts the prevailing standard for licensure and affirms that  
15 the practice of medicine occurs where the patient is located  
16 at the time of the physician-patient encounter, and therefore,  
17 requires the physician to be under the jurisdiction of the  
18 state medical board where the patient is located.

19 b. State medical boards that participate in the compact  
20 retain the jurisdiction to impose an adverse action against  
21 a license to practice medicine in that state issued to a  
22 physician through the procedures in the compact.

23 2. *Definitions.* In this compact:

24 a. "*Bylaws*" means those bylaws established by the interstate  
25 commission pursuant to subsection 11 for its governance, or for  
26 directing and controlling its actions and conduct.

27 b. "*Commissioner*" means the voting representative appointed  
28 by each member board pursuant to subsection 11.

29 c. "*Conviction*" means a finding by a court that  
30 an individual is guilty of a criminal offense through  
31 adjudication, or entry of a plea of guilt or no contest to the  
32 charge by the offender. Evidence of an entry of a conviction  
33 of a criminal offense by the court shall be considered final  
34 for purposes of disciplinary action by a member board.

35 d. "*Expedited license*" means a full and unrestricted medical

1 license granted by a member state to an eligible physician  
2 through the process set forth in the compact.

3 *e. "Interstate commission"* means the interstate commission  
4 created pursuant to this section.

5 *f. "License"* means authorization by a state for a physician  
6 to engage in the practice of medicine, which would be unlawful  
7 without the authorization.

8 *g. "Medical practice act"* means laws and regulations  
9 governing the practice of allopathic and osteopathic medicine  
10 within a member state.

11 *h. "Member board"* means a state agency in a member state  
12 that acts in the sovereign interests of the state by protecting  
13 the public through licensure, regulation, and education of  
14 physicians as directed by the state government.

15 *i. "Member state"* means a state that has enacted the  
16 compact.

17 *j. "Offense"* means a felony, gross misdemeanor, or crime of  
18 moral turpitude.

19 *k. "Physician"* means any person who satisfies all of the  
20 following:

21 (1) Is a graduate of a medical school accredited by the  
22 liaison committee on medical education, the commission on  
23 osteopathic college accreditation, or a medical school listed  
24 in the international medical education directory or its  
25 equivalent.

26 (2) Passed each component of the United States medical  
27 licensing examination or the comprehensive osteopathic medical  
28 licensing examination within three attempts, or any of its  
29 predecessor examinations accepted by a state medical board as  
30 an equivalent examination for licensure purposes.

31 (3) Successfully completed graduate medical education  
32 approved by the accreditation council for graduate medical  
33 education or the American osteopathic association.

34 (4) Holds specialty certification or a time-unlimited  
35 specialty certificate recognized by the American board of

1 medical specialties or the American osteopathic association's  
2 bureau of osteopathic specialists.

3 (5) Possesses a full and unrestricted license to engage in  
4 the practice of medicine issued by a member board.

5 (6) Has never been convicted, received adjudication,  
6 deferred adjudication, community supervision, or deferred  
7 disposition for any offense by a court of appropriate  
8 jurisdiction.

9 (7) Has never held a license authorizing the practice of  
10 medicine subjected to discipline by a licensing agency in any  
11 state, federal, or foreign jurisdiction, excluding any action  
12 related to nonpayment of fees related to a license.

13 (8) Has never had a controlled substance license or permit  
14 suspended or revoked by a state or the United States drug  
15 enforcement administration.

16 (9) Is not under active investigation by a licensing agency  
17 or law enforcement authority in any state, federal, or foreign  
18 jurisdiction.

19 *l. "Practice of medicine"* means the clinical prevention,  
20 diagnosis, or treatment of human disease, injury, or condition  
21 requiring a physician to obtain and maintain a license in  
22 compliance with the medical practice act of a member state.

23 *m. "Rule"* means a written statement by the interstate  
24 commission promulgated pursuant to subsection 12 that is of  
25 general applicability, implements, interprets, or prescribes  
26 a policy or provision of the compact, or an organizational,  
27 procedural, or practice requirement of the interstate  
28 commission, and has the force and effect of statutory law in a  
29 member state, and includes the amendment, repeal, or suspension  
30 of an existing rule.

31 *n. "State"* means any state, commonwealth, district, or  
32 territory of the United States.

33 *o. "State of principal license"* means a member state where  
34 a physician holds a license to practice medicine and which  
35 has been designated as such by the physician for purposes of

1 registration and participation in the compact.

2 3. *Eligibility.*

3 a. A physician must meet the eligibility requirements as  
4 defined in subsection 2, paragraph "k", to receive an expedited  
5 license under the terms and provisions of the compact.

6 b. A physician who does not meet the requirements of  
7 subsection 2, paragraph "k", may obtain a license to practice  
8 medicine in a member state if the individual complies with all  
9 laws and requirements, other than the compact, relating to the  
10 issuance of a license to practice medicine in that state.

11 4. *Designation of state of principal license.*

12 a. A physician shall designate a member state as the state  
13 of principal license for purposes of registration for expedited  
14 licensure through the compact if the physician possesses a full  
15 and unrestricted license to practice medicine in that state,  
16 and the state is:

17 (1) The state of primary residence for the physician, or

18 (2) The state where at least twenty-five percent of the  
19 practice of medicine occurs, or

20 (3) The location of the physician's employer, or

21 (4) If no state qualifies under subparagraph (1),  
22 subparagraph (2), or subparagraph (3), the state designated as  
23 state of residence for purposes of federal income tax.

24 b. A physician may redesignate a member state as the state  
25 of principal license at any time, as long as the state meets  
26 the requirements in paragraph "a".

27 c. The interstate commission is authorized to develop rules  
28 to facilitate redesignation of another member state as the  
29 state of principal license.

30 5. *Application and issuance of expedited licensure.*

31 a. A physician seeking licensure through the compact shall  
32 file an application for an expedited license with the member  
33 board of the state selected by the physician as the state of  
34 principal license.

35 b. Upon receipt of an application for an expedited

1 license, the member board within the state selected as  
2 the state of principal license shall evaluate whether the  
3 physician is eligible for expedited licensure and issue a  
4 letter of qualification, verifying or denying the physician's  
5 eligibility, to the interstate commission.

6 (1) Static qualifications, which include verification of  
7 medical education, graduate medical education, results of any  
8 medical or licensing examination, and other qualifications as  
9 determined by the interstate commission through rule, shall  
10 not be subject to additional primary source verification where  
11 already primary source-verified by the state of principal  
12 license.

13 (2) The member board within the state selected as the  
14 state of principal license shall, in the course of verifying  
15 eligibility, perform a criminal background check of an  
16 applicant, including the use of the results of fingerprint or  
17 other biometric data checks compliant with the requirements  
18 of the federal bureau of investigation, with the exception  
19 of federal employees who have suitability determination in  
20 accordance with 5 C.F.R. §731.202.

21 (3) Appeal on the determination of eligibility shall be made  
22 to the member state where the application was filed and shall  
23 be subject to the law of that state.

24 *c.* Upon verification in paragraph "b", physicians eligible  
25 for an expedited license shall complete the registration  
26 process established by the interstate commission to receive a  
27 license in a member state selected pursuant to paragraph "a",  
28 including the payment of any applicable fees.

29 *d.* After receiving verification of eligibility under  
30 paragraph "b" and any fees under paragraph "c", a member board  
31 shall issue an expedited license to the physician. This  
32 license shall authorize the physician to practice medicine in  
33 the issuing state consistent with the medical practice act and  
34 all applicable laws and regulations of the issuing member board  
35 and member state.

1 e. An expedited license shall be valid for a period  
2 consistent with the licensure period in the member state and in  
3 the same manner as required for other physicians holding a full  
4 and unrestricted license within the member state.

5 f. An expedited license obtained through the compact shall  
6 be terminated if a physician fails to maintain a license in  
7 the state of principal license for a nondisciplinary reason,  
8 without redesignation of a new state of principal license.

9 g. The interstate commission is authorized to develop rules  
10 regarding the application process, including payment of any  
11 applicable fees, and the issuance of an expedited license.

12 6. *Fees for expedited licensure.*

13 a. A member state issuing an expedited license authorizing  
14 the practice of medicine in that state may impose a fee for a  
15 license issued or renewed through the compact.

16 b. The interstate commission is authorized to develop rules  
17 regarding fees for expedited licenses.

18 7. *Renewal and continued participation.*

19 a. A physician seeking to renew an expedited license granted  
20 in a member state shall complete a renewal process with the  
21 interstate commission if the physician satisfies the following:

22 (1) Maintains a full and unrestricted license in a state of  
23 principal license.

24 (2) Has not been convicted, received adjudication, deferred  
25 adjudication, community supervision, or deferred disposition  
26 for any offense by a court of appropriate jurisdiction.

27 (3) Has not had a license authorizing the practice of  
28 medicine subject to discipline by a licensing agency in any  
29 state, federal, or foreign jurisdiction, excluding any action  
30 related to nonpayment of fees related to a license.

31 (4) Has not had a controlled substance license or permit  
32 suspended or revoked by a state or the United States drug  
33 enforcement administration.

34 b. Physicians shall comply with all continuing professional  
35 development or continuing medical education requirements for

1 renewal of a license issued by a member state.

2     *c.* The interstate commission shall collect any renewal fees  
3 charged for the renewal of a license and distribute the fees  
4 to the applicable member board.

5     *d.* Upon receipt of any renewal fees collected in paragraph  
6 "*c*", a member board shall renew the physician's license.

7     *e.* Physician information collected by the interstate  
8 commission during the renewal process will be distributed to  
9 all member boards.

10    *f.* The interstate commission is authorized to develop rules  
11 to address renewal of licenses obtained through the compact.

12    8. *Coordinated information system.*

13    *a.* The interstate commission shall establish a database of  
14 all physicians licensed, or who have applied for licensure,  
15 under subsection 5.

16    *b.* Notwithstanding any other provision of law, member boards  
17 shall report to the interstate commission any public action  
18 or complaints against a licensed physician who has applied or  
19 received an expedited license through the compact.

20    *c.* Member boards shall report disciplinary or investigatory  
21 information determined as necessary and proper by rule of the  
22 interstate commission.

23    *d.* Member boards may report any nonpublic complaint,  
24 disciplinary, or investigatory information not required by  
25 paragraph "*c*" to the interstate commission.

26    *e.* Member boards shall share complaint or disciplinary  
27 information about a physician upon request of another member  
28 board.

29    *f.* All information provided to the interstate commission or  
30 distributed by member boards shall be confidential, filed under  
31 seal, and used only for investigatory or disciplinary matters.

32    *g.* The interstate commission is authorized to develop rules  
33 for mandated or discretionary sharing of information by member  
34 boards.

35    9. *Joint investigations.*

1     *a.* Licensure and disciplinary records of physicians are  
2 deemed investigative.

3     *b.* In addition to the authority granted to a member board by  
4 its respective medical practice Act or other applicable state  
5 law, a member board may participate with other member boards  
6 in joint investigations of physicians licensed by the member  
7 boards.

8     *c.* A subpoena issued by a member state shall be enforceable  
9 in other member states.

10    *d.* Member boards may share any investigative, litigation, or  
11 compliance materials in furtherance of any joint or individual  
12 investigation initiated under the compact.

13    *e.* Any member state may investigate actual or alleged  
14 violations of the statutes authorizing the practice of medicine  
15 in any other member state in which a physician holds a license  
16 to practice medicine.

17    10. *Disciplinary actions.*

18    *a.* Any disciplinary action taken by any member board against  
19 a physician licensed through the compact shall be deemed  
20 unprofessional conduct which may be subject to discipline  
21 by other member boards, in addition to any violation of the  
22 medical practice Act or regulations in that state.

23    *b.* If a license granted to a physician by the member board  
24 in the state of principal license is revoked, surrendered,  
25 or relinquished in lieu of discipline, or suspended, then  
26 all licenses issued to the physician by member boards shall  
27 automatically be placed, without further action necessary by  
28 any member board, on the same status. If the member board  
29 in the state of principal license subsequently reinstates  
30 the physician's license, a license issued to the physician  
31 by any other member board shall remain encumbered until that  
32 respective member board takes action to reinstate the license  
33 in a manner consistent with the medical practice Act of that  
34 state.

35    *c.* If disciplinary action is taken against a physician by a

1 member board not in the state of principal license, any other  
2 member board may deem the action conclusive as to matter of law  
3 and fact decided and either:

4 (1) Impose the same or lesser sanctions against the  
5 physician so long as such sanctions are consistent with the  
6 medical practice Act of that state, or

7 (2) Pursue separate disciplinary action against the  
8 physician under its respective medical practice Act, regardless  
9 of the action taken in other member states.

10 *d.* If a license granted to a physician by a member board is  
11 revoked, surrendered, or relinquished in lieu of discipline,  
12 or suspended, then any licenses issued to the physician by  
13 any other member boards shall be suspended, automatically and  
14 immediately without further action necessary by the other  
15 member boards, for ninety days upon entry of the order by the  
16 disciplining board, to permit the member boards to investigate  
17 the basis for the action under the medical practice Act of that  
18 state. A member board may terminate the automatic suspension  
19 of the license it issued prior to the completion of the  
20 ninety-day suspension period in a manner consistent with the  
21 medical practice Act of that state.

22 11. *Interstate medical licensure compact commission.*

23 *a.* The member states hereby create the interstate medical  
24 licensure compact commission.

25 *b.* The purpose of the interstate commission is the  
26 administration of the interstate medical licensure compact,  
27 which is a discretionary state function.

28 *c.* The interstate commission shall be a body corporate  
29 and joint agency of the member states and shall have all the  
30 responsibilities, powers, and duties set forth in the compact,  
31 and such additional powers as may be conferred upon it by a  
32 subsequent concurrent action of the respective legislatures of  
33 the member states in accordance with the terms of the compact.

34 *d.* The interstate commission shall consist of two voting  
35 representatives appointed by each member state who shall serve

1 as commissioners. In states where allopathic and osteopathic  
2 physicians are regulated by separate member boards, or if  
3 the licensing and disciplinary authority is split between  
4 multiple member boards within a member state, the member state  
5 shall appoint one representative from each member board. A  
6 commissioner shall be one of the following:

7 (1) An allopathic or osteopathic physician appointed to a  
8 member board.

9 (2) An executive director, executive secretary, or similar  
10 executive of a member board.

11 (3) A member of the public appointed to a member board.

12 e. The interstate commission shall meet at least once each  
13 calendar year. A portion of this meeting shall be a business  
14 meeting to address such matters as may properly come before  
15 the commission, including the election of officers. The  
16 chairperson may call additional meetings and shall call for a  
17 meeting upon the request of a majority of the member states.

18 f. The bylaws may provide for meetings of the interstate  
19 commission to be conducted by telecommunication or electronic  
20 communication.

21 g. Each commissioner participating at a meeting of the  
22 interstate commission is entitled to one vote. A majority of  
23 commissioners shall constitute a quorum for the transaction  
24 of business, unless a larger quorum is required by the bylaws  
25 of the interstate commission. A commissioner shall not  
26 delegate a vote to another commissioner. In the absence of its  
27 commissioner, a member state may delegate voting authority for  
28 a specified meeting to another person from that state who shall  
29 meet the requirements of paragraph "d".

30 h. The interstate commission shall provide public notice  
31 of all meetings and all meetings shall be open to the public.  
32 The interstate commission may close a meeting, in full or  
33 in portion, where it determines by a two-thirds vote of the  
34 commissioners present that an open meeting would be likely to  
35 result in one or more of the following:

1 (1) Relate solely to the internal personnel practices and  
2 procedures of the interstate commission.

3 (2) Discuss matters specifically exempted from disclosure  
4 by federal statute.

5 (3) Discuss trade secrets, commercial, or financial  
6 information that is privileged or confidential.

7 (4) Involve accusing a person of a crime, or formally  
8 censuring a person.

9 (5) Discuss information of a personal nature where  
10 disclosure would constitute a clearly unwarranted invasion of  
11 personal privacy.

12 (6) Discuss investigative records compiled for law  
13 enforcement purposes.

14 (7) Specifically relate to the participation in a civil  
15 action or other legal proceeding.

16 *i.* The interstate commission shall keep minutes which shall  
17 fully describe all matters discussed in a meeting and shall  
18 provide a full and accurate summary of actions taken, including  
19 record of any roll call votes.

20 *j.* The interstate commission shall make its information  
21 and official records, to the extent not otherwise designated  
22 in the compact or by its rules, available to the public for  
23 inspection.

24 *k.* The interstate commission shall establish an executive  
25 committee, which shall include officers, members, and others as  
26 determined by the bylaws. The executive committee shall have  
27 the power to act on behalf of the interstate commission, with  
28 the exception of rulemaking, during periods when the interstate  
29 commission is not in session. When acting on behalf of the  
30 interstate commission, the executive committee shall oversee  
31 the administration of the compact including enforcement and  
32 compliance with the provisions of the compact, its bylaws and  
33 rules, and other such duties as necessary.

34 *l.* The interstate commission may establish other committees  
35 for governance and administration of the compact.

1 12. *Powers and duties of the interstate commission.* The  
2 interstate commission shall have power to perform the following  
3 functions:

- 4 a. Oversee and maintain the administration of the compact.  
5 b. Promulgate rules which shall be binding to the extent and  
6 in the manner provided for in the compact.  
7 c. Issue, upon the request of a member state or  
8 member board, advisory opinions concerning the meaning or  
9 interpretation of the compact, its bylaws, rules, and actions.  
10 d. Enforce compliance with compact provisions, the rules  
11 promulgated by the interstate commission, and the bylaws, using  
12 all necessary and proper means, including but not limited to  
13 the use of judicial process.  
14 e. Establish and appoint committees including but not  
15 limited to an executive committee as required by subsection 11,  
16 which shall have the power to act on behalf of the interstate  
17 commission in carrying out its powers and duties.  
18 f. Pay, or provide for the payment of, the expenses related  
19 to the establishment, organization, and ongoing activities of  
20 the interstate commission.  
21 g. Establish and maintain one or more offices.  
22 h. Borrow, accept, hire, or contract for services of  
23 personnel.  
24 i. Purchase and maintain insurance and bonds.  
25 j. Employ an executive director who shall have such  
26 powers to employ, select, or appoint employees, agents, or  
27 consultants, and to determine their qualifications, define  
28 their duties, and fix their compensation.  
29 k. Establish personnel policies and programs relating  
30 to conflicts of interest, rates of compensation, and  
31 qualifications of personnel.  
32 l. Accept donations and grants of money, equipment,  
33 supplies, materials, and services, and to receive, utilize, and  
34 dispose of the same in a manner consistent with the conflict of  
35 interest policies established by the interstate commission.

1     *m.* Lease, purchase, accept contributions or donations of, or  
2 otherwise to own, hold, improve, or use, any property, real,  
3 personal, or mixed.

4     *n.* Sell, convey, mortgage, pledge, lease, exchange, abandon,  
5 or otherwise dispose of any property, real, personal, or mixed.

6     *o.* Establish a budget and make expenditures.

7     *p.* Adopt a seal and bylaws governing the management and  
8 operation of the interstate commission.

9     *q.* Report annually to the legislatures and governors of  
10 the member states concerning the activities of the interstate  
11 commission during the preceding year. Such reports shall also  
12 include reports of financial audits and any recommendations  
13 that may have been adopted by the interstate commission.

14     *r.* Coordinate education, training, and public awareness  
15 regarding the compact, its implementation, and its operation.

16     *s.* Maintain records in accordance with the bylaws.

17     *t.* Seek and obtain trademarks, copyrights, and patents.

18     *u.* Perform such functions as may be necessary or appropriate  
19 to achieve the purposes of the compact.

20     13. *Finance powers.*

21     *a.* The interstate commission may levy on and collect an  
22 annual assessment from each member state to cover the cost of  
23 the operations and activities of the interstate commission and  
24 its staff. The total assessment must be sufficient to cover  
25 the annual budget approved each year for which revenue is not  
26 provided by other sources. The aggregate annual assessment  
27 amount shall be allocated upon a formula to be determined  
28 by the interstate commission, which shall promulgate a rule  
29 binding upon all member states.

30     *b.* The interstate commission shall not incur obligations of  
31 any kind prior to securing the funds adequate to meet the same.

32     *c.* The interstate commission shall not pledge the credit of  
33 any of the member states, except by, and with the authority of,  
34 the member state.

35     *d.* The interstate commission shall be subject to a yearly

1 financial audit conducted by a certified or licensed public  
2 accountant and the report of the audit shall be included in the  
3 annual report of the interstate commission.

4 14. *Organization and operation of the interstate commission.*

5 a. The interstate commission shall, by a majority of  
6 commissioners present and voting, adopt bylaws to govern its  
7 conduct as may be necessary or appropriate to carry out the  
8 purposes of the compact within twelve months of the first  
9 interstate commission meeting.

10 b. The interstate commission shall elect or appoint annually  
11 from among its commissioners a chairperson, a vice chairperson,  
12 and a treasurer, each of whom shall have such authority and  
13 duties as may be specified in the bylaws. The chairperson,  
14 or in the chairperson's absence or disability, the vice  
15 chairperson, shall preside at all meetings of the interstate  
16 commission.

17 c. Officers selected in paragraph "b" shall serve without  
18 remuneration from the interstate commission.

19 d. The officers and employees of the interstate commission  
20 shall be immune from suit and liability, either personally or  
21 in their official capacity, for a claim for damage to or loss  
22 of property or personal injury or other civil liability caused  
23 or arising out of, or relating to, an actual or alleged act,  
24 error, or omission that occurred, or that such person had a  
25 reasonable basis for believing occurred, within the scope of  
26 interstate commission employment, duties, or responsibilities,  
27 provided that such person shall not be protected from suit or  
28 liability for damage, loss, injury, or liability caused by the  
29 intentional or willful and wanton misconduct of such person.

30 (1) The liability of the executive director and employees of  
31 the interstate commission or representatives of the interstate  
32 commission, acting within the scope of such person's employment  
33 or duties for acts, errors, or omissions occurring within such  
34 person's state, may not exceed the limits of liability set  
35 forth under the constitution and laws of that state for state

1 officials, employees, and agents. The interstate commission  
2 is considered to be an instrumentality of the states for  
3 the purposes of any such action. Nothing in this paragraph  
4 "d" shall be construed to protect such person from suit or  
5 liability for damage, loss, injury, or liability caused by the  
6 intentional or willful and wanton misconduct of such person.

7 (2) The interstate commission shall defend the executive  
8 director, its employees, and subject to the approval of  
9 the attorney general or other appropriate legal counsel of  
10 the member state represented by an interstate commission  
11 representative, shall defend such interstate commission  
12 representative in any civil action seeking to impose liability  
13 arising out of an actual or alleged act, error, or omission  
14 that occurred within the scope of interstate commission  
15 employment, duties, or responsibilities, or that the defendant  
16 had a reasonable basis for believing occurred within the  
17 scope of interstate commission employment, duties, or  
18 responsibilities, provided that the actual or alleged act,  
19 error, or omission did not result from intentional or willful  
20 and wanton misconduct on the part of such person.

21 (3) To the extent not covered by the state involved, member  
22 state, or the interstate commission, the representatives or  
23 employees of the interstate commission shall be held harmless  
24 in the amount of a settlement or judgment, including attorney  
25 fees and costs, obtained against such persons arising out of  
26 an actual or alleged act, error, or omission that occurred  
27 within the scope of interstate commission employment, duties,  
28 or responsibilities, or that such persons had a reasonable  
29 basis for believing occurred within the scope of interstate  
30 commission employment, duties, or responsibilities, provided  
31 that the actual or alleged act, error, or omission did not  
32 result from intentional or willful and wanton misconduct on the  
33 part of such persons.

34 15. *Rulemaking functions of the interstate commission.*

35 a. The interstate commission shall promulgate reasonable

1 rules in order to effectively and efficiently achieve the  
2 purposes of the compact. Notwithstanding the foregoing, in  
3 the event the interstate commission exercises its rulemaking  
4 authority in a manner that is beyond the scope of the purposes  
5 of the compact, or the powers granted hereunder, then such an  
6 action by the interstate commission shall be invalid and have  
7 no force or effect.

8     *b.* Rules deemed appropriate for the operations of the  
9 interstate commission shall be made pursuant to a rulemaking  
10 process that substantially conforms to the model state  
11 administrative procedure Act of 2010, and subsequent amendments  
12 thereto.

13     *c.* Not later than thirty days after a rule is promulgated,  
14 any person may file a petition for judicial review of the  
15 rule in the United States district court for the District  
16 of Columbia or the federal district where the interstate  
17 commission has its principal offices, provided that the filing  
18 of such a petition shall not stay or otherwise prevent the  
19 rule from becoming effective unless the court finds that the  
20 petitioner has a substantial likelihood of success. The  
21 court shall give deference to the actions of the interstate  
22 commission consistent with applicable law and shall not find  
23 the rule to be unlawful if the rule represents a reasonable  
24 exercise of the authority granted to the interstate commission.

25     16. *Oversight of interstate compact.*

26     *a.* The executive, legislative, and judicial branches  
27 of state government in each member state shall enforce the  
28 compact and shall take all actions necessary and appropriate to  
29 effectuate the compact's purposes and intent. The provisions  
30 of the compact and the rules promulgated hereunder shall have  
31 standing as statutory law but shall not override existing state  
32 authority to regulate the practice of medicine.

33     *b.* All courts shall take judicial notice of the compact and  
34 the rules in any judicial or administrative proceeding in a  
35 member state pertaining to the subject matter of the compact

1 which may affect the powers, responsibilities, or actions of  
2 the interstate commission.

3     *c.* The interstate commission shall be entitled to receive  
4 all service of process in any such proceeding, and shall have  
5 standing to intervene in the proceeding for all purposes.  
6 Failure to provide service of process to the interstate  
7 commission shall render a judgment or order void as to the  
8 interstate commission, the compact, or promulgated rules.

9     17. *Enforcement of interstate compact.*

10     *a.* The interstate commission, in the reasonable exercise of  
11 its discretion, shall enforce the provisions and rules of the  
12 compact.

13     *b.* The interstate commission may, by majority vote of  
14 the commissioners, initiate legal action in the United  
15 States district court for the District of Columbia, or, at  
16 the discretion of the interstate commission, in the federal  
17 district where the interstate commission has its principal  
18 offices, to enforce compliance with the provisions of the  
19 compact, and its promulgated rules and bylaws, against a  
20 member state in default. The relief sought may include  
21 both injunctive relief and damages. In the event judicial  
22 enforcement is necessary, the prevailing party shall be awarded  
23 all costs of such litigation including reasonable attorney  
24 fees.

25     *c.* The remedies herein shall not be the exclusive remedies  
26 of the interstate commission. The interstate commission may  
27 avail itself of any other remedies available under state law or  
28 the regulation of a profession.

29     18. *Default procedures.*

30     *a.* The grounds for default include but are not limited  
31 to failure of a member state to perform such obligations or  
32 responsibilities imposed upon it by the compact, or the rules  
33 and bylaws of the interstate commission promulgated under the  
34 compact.

35     *b.* If the interstate commission determines that a member

1 state has defaulted in the performance of its obligations  
2 or responsibilities under the compact, or the bylaws or  
3 promulgated rules, the interstate commission shall do the  
4 following:

5 (1) Provide written notice to the defaulting state and other  
6 member states of the nature of the default, the means of curing  
7 the default, and any action taken by the interstate commission.  
8 The interstate commission shall specify the conditions by which  
9 the defaulting state must cure its default.

10 (2) Provide remedial training and specific technical  
11 assistance regarding the default.

12 *c.* If the defaulting state fails to cure the default, the  
13 defaulting state shall be terminated from the compact upon an  
14 affirmative vote of a majority of the commissioners and all  
15 rights, privileges, and benefits conferred by the compact shall  
16 terminate on the effective date of termination. A cure of the  
17 default does not relieve the offending state of obligations or  
18 liabilities incurred during the period of the default.

19 *d.* Termination of membership in the compact shall be imposed  
20 only after all other means of securing compliance have been  
21 exhausted. Notice of intent to terminate shall be given by  
22 the interstate commission to the governor, the majority and  
23 minority leaders of the defaulting state's legislature, and  
24 each of the member states.

25 *e.* The interstate commission shall establish rules and  
26 procedures to address licenses and physicians that are  
27 materially impacted by the termination of a member state, or  
28 the withdrawal of a member state.

29 *f.* The member state which has been terminated is responsible  
30 for all dues, obligations, and liabilities incurred through  
31 the effective date of termination including obligations, the  
32 performance of which extends beyond the effective date of  
33 termination.

34 *g.* The interstate commission shall not bear any costs  
35 relating to any state that has been found to be in default or

1 which has been terminated from the compact, unless otherwise  
2 mutually agreed upon in writing between the interstate  
3 commission and the defaulting state.

4 *h.* The defaulting state may appeal the action of the  
5 interstate commission by petitioning the United States district  
6 court for the District of Columbia or the federal district  
7 where the interstate commission has its principal offices. The  
8 prevailing party shall be awarded all costs of such litigation  
9 including reasonable attorney fees.

10 19. *Dispute resolution.*

11 *a.* The interstate commission shall attempt, upon the request  
12 of a member state, to resolve disputes which are subject to  
13 the compact and which may arise among member states or member  
14 boards.

15 *b.* The interstate commission shall promulgate rules  
16 providing for both mediation and binding dispute resolution as  
17 appropriate.

18 20. *Member states, effective date, and amendment.*

19 *a.* Any state is eligible to become a member state of the  
20 compact.

21 *b.* The compact shall become effective and binding upon  
22 legislative enactment of the compact into law by no less than  
23 seven states. Thereafter, it shall become effective and  
24 binding on a state upon enactment of the compact into law by  
25 that state.

26 *c.* The governors of nonmember states, or their designees,  
27 shall be invited to participate in the activities of the  
28 interstate commission on a nonvoting basis prior to adoption  
29 of the compact by all states.

30 *d.* The interstate commission may propose amendments to the  
31 compact for enactment by the member states. No amendment shall  
32 become effective and binding upon the interstate commission and  
33 the member states unless and until it is enacted into law by  
34 unanimous consent of the member states.

35 21. *Withdrawal.*

1     *a.* Once effective, the compact shall continue in force and  
2 remain binding upon each and every member state, provided that  
3 a member state may withdraw from the compact by specifically  
4 repealing the statute which enacted the compact into law.

5     *b.* Withdrawal from the compact shall be by the enactment  
6 of a statute repealing the same, but shall not take effect  
7 until one year after the effective date of such statute and  
8 until written notice of the withdrawal has been given by the  
9 withdrawing state to the governor of each other member state.

10    *c.* The withdrawing state shall immediately notify the  
11 chairperson of the interstate commission in writing upon the  
12 introduction of legislation repealing the compact in the  
13 withdrawing state.

14    *d.* The interstate commission shall notify the other member  
15 states of the withdrawing state's intent to withdraw within  
16 sixty days of its receipt of notice provided under paragraph  
17 "*c*".

18    *e.* The withdrawing state is responsible for all dues,  
19 obligations, and liabilities incurred through the effective  
20 date of withdrawal, including obligations, the performance of  
21 which extend beyond the effective date of withdrawal.

22    *f.* Reinstatement following withdrawal of a member state  
23 shall occur upon the withdrawing state reenacting the compact  
24 or upon such later date as determined by the interstate  
25 commission.

26    *g.* The interstate commission is authorized to develop  
27 rules to address the impact of the withdrawal of a member  
28 state on licenses granted in other member states to physicians  
29 who designated the withdrawing member state as the state of  
30 principal license.

31    22. *Dissolution.*

32    *a.* The compact shall dissolve effective upon the date of  
33 the withdrawal or default of the member state which reduces the  
34 membership in the compact to one member state.

35    *b.* Upon the dissolution of the compact, the compact becomes

1 null and void and shall be of no further force or effect, and  
2 the business and affairs of the interstate commission shall be  
3 concluded and surplus funds shall be distributed in accordance  
4 with the bylaws.

5     23. *Severability and construction.*

6     a. The provisions of the compact shall be severable,  
7 and if any phrase, clause, sentence, or provision is deemed  
8 unenforceable, the remaining provisions of the compact shall  
9 be enforceable.

10    b. The provisions of the compact shall be liberally  
11 construed to effectuate its purposes.

12    c. Nothing in the compact shall be construed to prohibit the  
13 applicability of other interstate compacts to which the states  
14 are members.

15     24. *Binding effect of compact and other laws.*

16    a. Nothing herein prevents the enforcement of any other law  
17 of a member state that is not inconsistent with the compact.

18    b. All laws in a member state in conflict with the compact  
19 are superseded to the extent of the conflict.

20    c. All lawful actions of the interstate commission,  
21 including all rules and bylaws promulgated by the commission,  
22 are binding upon the member states.

23    d. All agreements between the interstate commission and the  
24 member states are binding in accordance with their terms.

25    e. In the event any provision of the compact exceeds the  
26 constitutional limits imposed on the legislature of any member  
27 state, such provision shall be ineffective to the extent of the  
28 conflict with the constitutional provision in question in that  
29 member state.

30                                   DIVISION XXV

31                                   ENTREPRENEUR INVESTMENT AWARDS PROGRAM

32     Sec. 139. Section 15E.362, Code 2015, is amended by striking  
33 the section and inserting in lieu thereof the following:

34     **15E.362 Entrepreneur investment awards program.**

35     1. For purposes of this division, unless the context

1 otherwise requires:

2     *a. "Business development services"* includes but is not  
3 limited to corporate development services, business model  
4 development services, business planning services, marketing  
5 services, financial strategies and management services,  
6 mentoring and management coaching, and networking services.

7     *b. "Eligible entrepreneurial assistance provider"* means a  
8 person meeting the requirements of subsection 3.

9     *c. "Financial assistance"* means the same as defined in  
10 section 15.327.

11     *d. "Program"* means the entrepreneur investment awards  
12 program administered pursuant to this division.

13     2. The authority shall establish and administer an  
14 entrepreneur investment awards program for purposes of  
15 providing financial assistance to eligible entrepreneurial  
16 assistance providers that provide technical and financial  
17 assistance to entrepreneurs and start-up companies seeking to  
18 create, locate, or expand a business in the state. Financial  
19 assistance under the program shall be provided from the  
20 entrepreneur investment awards program fund created in section  
21 15E.363.

22     3. In order to be eligible for financial assistance under  
23 the program an entrepreneurial assistance provider must meet  
24 all of the following requirements:

25     *a.* The provider must have its principal place of operations  
26 located in this state.

27     *b.* The provider must offer a comprehensive set of business  
28 development services to emerging and early-stage innovation  
29 companies to assist in the creation, location, growth, and  
30 long-term success of the company in this state.

31     *c.* The business development services may be performed at the  
32 physical location of the provider or the company.

33     *d.* The business development services may be provided in  
34 consideration of equity participation in the company, a fee  
35 for services, a membership agreement with the company, or any

1 combination thereof.

2 4. Entrepreneurial assistance providers may apply for  
3 financial assistance under the program in the manner and form  
4 prescribed by the authority.

5 5. The economic development authority board in its  
6 discretion may approve, deny, or defer each application  
7 for financial assistance under the program from persons  
8 it determines to be an eligible entrepreneurial assistance  
9 provider.

10 6. Subject to subsection 7, the amount of financial  
11 assistance awarded to an eligible entrepreneurial assistance  
12 provider shall be within the discretion of the authority.

13 7. *a.* The maximum amount of financial assistance awarded  
14 to an eligible entrepreneurial assistance provider shall not  
15 exceed two hundred thousand dollars.

16 *b.* The maximum amount of financial assistance provided under  
17 the program shall not exceed one million dollars in a fiscal  
18 year.

19 8. The authority shall award financial assistance on a  
20 competitive basis. In making awards of financial assistance,  
21 the authority may develop scoring criteria and establish  
22 minimum requirements for the receipt of financial assistance  
23 under the program. In making awards of financial assistance,  
24 the authority may consider all of the following:

25 *a.* The business experience of the professional staff  
26 employed or retained by the eligible entrepreneurial assistance  
27 provider.

28 *b.* The business plan review capacity of the professional  
29 staff of the eligible entrepreneurial assistance provider.

30 *c.* The expertise in all aspects of business disciplines  
31 of the professional staff of the eligible entrepreneurial  
32 assistance provider.

33 *d.* The access of the eligible entrepreneurial assistance  
34 provider to external service providers, including legal,  
35 accounting, marketing, and financial services.

1 e. The service model and likelihood of success of the  
2 eligible entrepreneurial assistance provider and its similarity  
3 to other successful entrepreneurial assistance providers in the  
4 country.

5 f. The financial need of the eligible entrepreneurial  
6 assistance provider.

7 9. Financial assistance awarded to an eligible  
8 entrepreneurial assistance provider shall only be used for  
9 the purpose of operating costs incurred by the eligible  
10 entrepreneurial assistance provider in providing business  
11 development services to emerging and early-stage innovation  
12 companies in this state. Such financial assistance shall not  
13 be distributed to owners or investors of the company to which  
14 business development services are provided and shall not be  
15 distributed to other persons assisting with the provision of  
16 business development services to the company.

17 10. The authority may contract with outside service  
18 providers for assistance with the program or may delegate  
19 the administration of the program to the Iowa innovation  
20 corporation pursuant to section 15.106B.

21 11. The authority may make client referrals to eligible  
22 entrepreneurial assistance providers.

23 Sec. 140. Section 15E.363, subsection 3, Code 2015, is  
24 amended to read as follows:

25 3. The Moneys credited to the fund are appropriated to  
26 the authority and shall be used to provide grants under the  
27 entrepreneur investment awards program established in section  
28 15E.362 financial assistance under the program.

29

EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill relates to state and local finances by making  
33 appropriations, providing for fees, providing for legal  
34 responsibilities, providing for certain employee benefits,  
35 and providing for regulatory, taxation, and properly related

1 matters, and including penalties and effective date and  
2 retroactive and other applicability provisions.

3 STANDING APPROPRIATIONS AND RELATED MATTERS. For the budget  
4 process applicable to FY 2016-2017, state agencies are required  
5 to submit estimates and other expenditure information as called  
6 for by the director of the department of management instead of  
7 the information required under Code section 8.23.

8 The bill limits standing appropriations for FY 2015-2016  
9 and FY 2016-2017 made for the following purposes: casino  
10 wagering tax proceeds allocated for department of cultural  
11 affairs operational support grants and community cultural  
12 grants; payment for nonpublic school transportation; and the  
13 enforcement of Iowa Code chapter 453D relating to tobacco  
14 product manufacturers.

15 The bill limits the standing appropriation for paying  
16 instructional support state aid to zero for FY 2015-2016 and  
17 FY 2016-2017.

18 The bill reduces the standing unlimited appropriation for FY  
19 2015-2016 made for expenses of the general assembly under Code  
20 section 2.12.

21 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS. The bill  
22 appropriates moneys to the department of corrections from the  
23 general fund of the state for FY 2014-2015 for operations  
24 including training and additional costs associated with the new  
25 correctional facility located in Fort Madison. The moneys do  
26 not revert until the close of the succeeding fiscal year and  
27 the provision takes effect upon enactment.

28 The bill appropriates moneys to the department of public  
29 health for FY 2014-2015 for purposes of providing a grant on  
30 behalf of substance-related disorder treatment providers. The  
31 moneys do not revert until the close of the succeeding fiscal  
32 year and the provision takes effect upon enactment.

33 The bill appropriates moneys to the department of  
34 public health for FY 2014-2015 for purposes of providing a  
35 collaborative effort between certain entities for heart attack

1 patients. The moneys do not revert until the close of the  
2 fiscal year that begins July 1, 2017, and the provision takes  
3 effect upon enactment.

4 The bill requires the judicial branch to file a report with  
5 the general assembly regarding possible efficiencies in the  
6 collection of court debt.

7 The bill allows an Iowa community college that entered into  
8 a new jobs training agreement pursuant to Code chapter 260E,  
9 which was effective in April 2012, with an Iowa employer to  
10 enter into a new agreement with such employer pursuant to Code  
11 chapter 260E, which will be effective September 2015, and may  
12 use the base employment determined in April 2012 as the base  
13 employment for determining the new jobs eligible under the new  
14 agreement if the base employment determined in April 2012 was  
15 2,125 employees. The new agreement under Code chapter 260E  
16 shall be limited to seven years from the effective date of the  
17 agreement.

18 The bill eliminates a reference to salary range nine  
19 for the executive director of the Iowa telecommunications  
20 and technology commission and allows the salary to be set  
21 within the applicable salary range established by the general  
22 assembly.

23 Code section 43.45(3), as enacted by 2015 Iowa Acts, Senate  
24 File 415, section 1, is amended to allow county commissioners  
25 of elections using digital counting technology to direct the  
26 precinct election officials to print the write-in report  
27 containing digital images of write-in votes for delivery to the  
28 special precinct board.

29 The bill creates new Code section 91A.5B to provide that an  
30 employer shall treat an employee who chooses to adopt in the  
31 same manner as an employee who is the biological parent of a  
32 newborn child for purposes of employment policies, benefits,  
33 and protections for the first year of the adoption.

34 The bill eliminates Code section 97A.6, subsection 11,  
35 relating to the pensions under the public safety peace

1 officers' retirement, accident, and disability system being  
2 offset amounts paid or payable to by the state under the  
3 provisions of any workers' compensation or similar law to a  
4 member or to the dependents of a member on account of any  
5 disability or death.

6 The bill amends Code section 123.132, subsection 3, as  
7 enacted by 2015 Iowa Acts, Senate File 456, section 1, relating  
8 to requirements for containers of beer other than the original  
9 container that is sold and sealed.

10 The bill amends Code section 136C.3 to establish a  
11 notification requirement for mammogram reports to patients.  
12 The bill directs the department of public health to adopt  
13 rules that require a facility performing mammography services  
14 to include information on breast density in reports sent to  
15 patients pursuant to federal law and rules. If a patient  
16 is categorized by an interpreting physician at the facility  
17 as having heterogeneously dense breasts or extremely dense  
18 breasts based on national standards the report to the patient  
19 must include notice that the patient has dense breast tissue,  
20 that this may make it more difficult to detect cancer on a  
21 mammogram, and that it may increase the patient's risk of  
22 breast cancer. The bill provides language that such notice  
23 may contain. The bill's provisions are not to be construed  
24 to modify the existing liability of a facility performing  
25 mammography services beyond the duty to provide the breast  
26 density information. Facilities providing mammography services  
27 must comply with the bill's requirements by January 1, 2016.

28 The bill adds additional criteria for an applicant under the  
29 teach Iowa scholar program. The bill requires an applicant to  
30 meet all of the eligibility requirements on or after January  
31 1, 2013. An applicant that meets the eligibility requirements  
32 prior to January 1, 2013, is ineligible under the program.

33 Currently, a governmental entity cannot receive remittances  
34 of sales tax revenue under the flood mitigation program after  
35 20 years from the date the governmental entity's project was

1 approved. The bill amends Code section 418.15 to allow such  
2 remittances to be received if calculated based on sales subject  
3 to tax occurring before the expiration of the 20-year period.

4 New Code section 505.19(4A) provides that a health insurance  
5 carrier licensed in this state that participates in the health  
6 benefits exchange used and created in this state pursuant to  
7 the federal Patient Protection and Affordable Care Act is  
8 not subject to the notice and public hearing requirements  
9 applicable to other health carriers that apply for rate  
10 increases exceeding a specified amount. Health carriers that  
11 participate in the Iowa health benefits exchange are required  
12 to inform policyholders of their total premium due and any rate  
13 increases to their premium 30 days prior to the beginning of  
14 open enrollment for each upcoming policy year and to inform  
15 policyholders about how to contact the insurance division with  
16 comments about a proposed rate increase, and are subject to all  
17 other applicable state and federal laws.

18 The bill amends Code section 602.1304 to increase the  
19 maximum annual deposit amount for the enhanced court  
20 collections fund for FY 2015-2016, FY 2016-2017, and FY  
21 2017-2018, to \$7 million; for FY 2018-2019 to \$5 million; and  
22 for FY 2019-2020, and each fiscal year thereafter to \$4.5  
23 million. Currently, the maximum annual deposit amount is \$4  
24 million.

25 The bill amends Code section 633.535 to provide that a  
26 person convicted of certain felonies perpetrated against a  
27 decedent in the six months immediately prior to the decedent's  
28 death is not entitled, as a named beneficiary of a bond,  
29 life insurance policy, or any other contractual arrangement,  
30 to any benefit under the bond, policy, or other contractual  
31 arrangement, and the benefits become payable as though the  
32 person causing death had predeceased the decedent. However,  
33 the bill allows such a decedent, in the six months prior to  
34 death, to affirm by affidavit that the named beneficiary should  
35 receive the described benefit despite the felony conviction.

1 The bill applies to felonies in the following Code chapters:  
2 707 (homicide and related crimes), 708 (assault and related  
3 offenses), 709 (sexual abuse and related sexual offenses), and  
4 710 (kidnapping and related offenses).

5 The bill amends Code section 708.2A to include an assault, as  
6 defined in Code section 708.1, that occurs between persons who  
7 are in an intimate relationship or who have been in an intimate  
8 relationship and who have had contact within the past year  
9 of the assault, in the definition of domestic abuse assault  
10 pursuant to Code section 708.2A. In determining whether  
11 persons are or have been in an intimate relationship, the court  
12 may consider the duration of the relationship, the frequency of  
13 interaction, whether the relationship has been terminated, and  
14 the nature of the relationship, characterized by either party's  
15 expectation of sexual or romantic involvement. A person who  
16 commits domestic abuse assault commits a simple misdemeanor,  
17 a serious misdemeanor, an aggravated misdemeanor, or a class  
18 "D" felony depending upon the circumstances involved in the  
19 offense. A simple misdemeanor is punishable by confinement for  
20 no more than 30 days or a fine of at least \$65 but not more  
21 than \$625 or by both; a serious misdemeanor is punishable by  
22 confinement for no more than one year and a fine of at least  
23 \$315 but not more than \$1,875; an aggravated misdemeanor is  
24 punishable by confinement for no more than two years and a fine  
25 of at least \$625 but not more than \$6,250; and a class "D"  
26 felony is punishable by confinement for no more than five years  
27 and a fine of at least \$750 but not more than \$7,500.

28 The bill creates new Code section 708.11A to provide that a  
29 person commits unauthorized placement of a global positioning  
30 device, when, with intent to intimidate, annoy, or alarm  
31 another person, the person, without the consent of the other  
32 person, places a global positioning device on the other person  
33 or an object in order to track the movements of the other  
34 person without a legitimate purpose. A person who violates the  
35 bill commits a serious misdemeanor. A serious misdemeanor is

1 punishable by confinement for no more than one year and a fine  
2 of at least \$315 but not more than \$1,875.

3 SALARIES, COMPENSATION, AND RELATED MATTERS. The bill  
4 allows salary adjustments to be funded using departmental  
5 revolving, trust, or special funds for which the general  
6 assembly has established an operating budget.

7 The bill requires the salaries model administrator to work  
8 in conjunction with the legislative services agency to maintain  
9 the state's salary model used for analyzing, comparing, and  
10 projecting state salary and benefit information.

11 CORRECTIVE PROVISIONS. Code section 123.122, Code 2015,  
12 as amended by 2015 Iowa Acts, House File 536, section 48, is  
13 amended to change an additional instance of the word "division"  
14 to "subchapter" in order to distinguish between references to  
15 subunits of Code chapter 123 (subchapters) and references to  
16 the alcoholic beverages division of the department of commerce  
17 (division).

18 Code sections 227.10, 227.14, 229.1B, 229.2(1)(b)(3),  
19 229.8(1), 229.10(1)(a), 229.11(1)(u1), 229.13(1)(a),  
20 229.14(2)(a), 229.14A(7), 229.42(1), 230.1(3), 230.20(2)(b),  
21 and 426B.5(2)(c), Code 2015, as amended by 2015 Iowa Acts,  
22 Senate File 463, sections 53, 56, 59, through 66, 68, 69, 71,  
23 and 78, are amended to correct references to the official name  
24 of the mental health and disability services regions.

25 Code section 279.10(1), Code 2015, as amended by 2015 Iowa  
26 Acts, Senate File 227, section 2, is amended to strike a  
27 reference to a Code provision relating to a pilot program for  
28 an innovative school year. The pilot program provision was  
29 stricken by Senate File 227, effective April 10, 2015. This  
30 amendment is made retroactively applicable to April 10, 2015.

31 Code section 459A.302(1)(a)(u1), Code 2015, as amended by  
32 2015 Iowa Acts, House File 583, section 33, if enacted, is  
33 amended to add a missing reference to an animal truck wash  
34 effluent structure in a portion of a sentence that already  
35 refers to such a structure.

1 Code section 459A.302(2)(a), Code 2015, as amended by 2015  
2 Iowa Acts, House File 583, section 34, if enacted, is amended  
3 to delete a superfluous and conflicting indefinite article  
4 before the term "animal truck wash effluent structure", as  
5 the definite article at the beginning of the sentence already  
6 modifies the term.

7 Code section 459A.404(3)(b) and (c), if enacted by 2015 Iowa  
8 Acts, House File 583, section 41, are amended to complete a  
9 sentence by specifying the requirement which does not apply  
10 when an unformed animal truck wash effluent structure is  
11 replaced with a formed animal truck wash effluent structure.

12 Code section 459A.411, Code 2015, as amended by 2015 Iowa  
13 Acts, House File 583, section 43, if enacted, is amended to  
14 correct the verb in a sentence phrase that includes a plural  
15 rather than a singular subject.

16 Code section 476.53(3)(a)(1), Code 2015, as amended by 2015  
17 Iowa Acts, House File 535, section 61, is amended to correct  
18 an internal reference due to elimination of an unnumbered  
19 paragraph and the renumbering of the Code subunits in language  
20 relating to construction or significant alteration of electric  
21 power generating facilities.

22 Code section 602.3205(3)(b), if enacted by 2015 Iowa  
23 Acts, Senate File 404, section 5, is amended to correct a  
24 reference to audio recordings that are provided "to the board"  
25 of examiners of shorthand reporters pursuant to this Code  
26 provision.

27 Code section 602.11113, Code 2015, as amended by 2015 Iowa  
28 Acts, House File 536, section 177, is amended to reverse the  
29 inadvertent deletion of the preposition "to" in language  
30 substituting the actual effective date of legislation relating  
31 to the 1983 court system reorganization and the employment of  
32 bailiffs as court attendants.

33 Code section 714.23(4A)(a), if enacted by 2015 Iowa Acts,  
34 Senate File 501, section 2, or 2015 Iowa Acts, House File  
35 663, section 2, is amended to insert the word "section"

1 inadvertently missing before a Code section numerical reference  
2 in this provision relating to student tuition refunds.

3 Code section 902.1(2)(a)(ul), as enacted by 2015 Iowa  
4 Acts, Senate File 448, section 1, is amended to replace the  
5 inadvertent omission of the preposition "of" in language  
6 relating to the sentencing options applicable to a defendant  
7 convicted of murder in the first degree who was under the age  
8 of 18 at the time the offense was committed. This amendment  
9 is made retroactively applicable to the effective date of 2015  
10 Iowa Acts, Senate File 448.

11 Code section 916.1, subsection 1, as enacted by 2015 Iowa  
12 Acts, House File 496, section 1, is amended to reconcile the  
13 definitions for the terms "confidential communication" and  
14 "confidential information" as the second term and definition  
15 further specify the type of information considered confidential  
16 as that information relates to a confidential communication.

17 REIMBURSEMENT OF DEFENSE COSTS. This bill relates to the  
18 reimbursement of certain defense costs of peace officers and  
19 corrections officers.

20 Under current law, Code section 80.37 provides that  
21 a peace officer will be reimbursed for certain defense  
22 costs. Code section 80.37 defines "peace officer" as a  
23 member, except a non-peace officer member, of the division  
24 of state patrol, narcotics enforcement, state fire marshal,  
25 or criminal investigation, including but not limited to a  
26 gaming enforcement officer, who has passed a satisfactory  
27 physical and mental examination, who has been duly appointed  
28 by the department of public safety, and who is employed by any  
29 division of the department of public safety.

30 Code section 80.37 provides that if an officer is charged  
31 with the alleged commission of a public offense, based on acts  
32 or omission within the scope of the officer's lawful duty  
33 or authority, and the charge is dismissed or the officer is  
34 acquitted, the officer shall be reimbursed for costs incurred  
35 in defending the charge if the court finds that the charge

1 was without probable cause, filed for malicious purposes, or  
2 was unwarranted in consideration of the circumstances. Code  
3 section 80.37 also provides that if a court fails to award  
4 reimbursement of defense costs to an officer, the officer may  
5 apply for judicial review of that decision.

6 The bill expands the type of peace officer who is entitled  
7 to reimbursement of certain defense costs and moves Code  
8 section 80.37 to new Code section 80F.2. The bill adds to  
9 the definition of "peace officer" the following: a sheriff  
10 and sheriff's regular deputy who is subject to mandated law  
11 enforcement training, marshal and police officer of a city,  
12 parole officer acting pursuant to Code section 906.2, probation  
13 officer acting pursuant to Code sections 602.7202(4) and 907.2,  
14 peace officer employed by board of regents institutions as  
15 set forth in Code section 262.13, conservation officer as  
16 authorized by Code section 456A.13, employee of the department  
17 of transportation designated as a peace officer by resolution  
18 of the department under Code section 321.477, employee of  
19 an aviation authority designated as a peace officer by the  
20 authority under Code section 330A.8(16), and such person as may  
21 be otherwise so designated by law.

22 The bill also provides that a corrections officer is  
23 entitled to reimbursement of certain defense costs in the same  
24 manner as a peace officer.

25 RENEWABLE FUELS INFRASTRUCTURE PROGRAM. The bill expands  
26 the renewable fuel infrastructure program for retail motor fuel  
27 sites by providing that state moneys may be used to finance  
28 infrastructure associated with storing and dispensing ethanol  
29 blended gasoline classified as E-15. The bill provides that  
30 the infrastructure so financed must always be used to store and  
31 dispense E-15 and during nonsummer months (from September 16 to  
32 May 31) it must be designated as a registered fuel recognized  
33 by the United States environmental protection agency.

34 STATE EMPLOYEE RETIREMENT INCENTIVE PROGRAM. The bill  
35 establishes a state employee retirement incentive program

1 for eligible employees of the executive branch of the state,  
2 including employees in the offices of statewide elective  
3 officials, employees of a judicial district department of  
4 correctional services, and if the board of regents approves,  
5 employees of the state board of regents and its institutions.  
6 The bill permits, but does not require, either the legislative  
7 branch or the judicial branch to establish an early retirement  
8 program consistent with the program provided to executive  
9 branch employees in the bill. An elected official, or an  
10 employee eligible for an enhanced sick leave conversion program  
11 under Code section 70A.23(4) are excluded from participating  
12 in the program. The program shall be administered by the  
13 department of administrative services. The bill permits  
14 eligible executive branch employees who have completed an  
15 application for benefits under the Iowa public employees'  
16 retirement system (IPERS) with an intended first month of  
17 entitlement of no later than September 2015 to separate from  
18 service with the state and receive a benefit under the program.  
19 To receive the incentive benefit, an eligible employee must  
20 submit an application to participate in the program by July  
21 31, 2015, be accepted to participate in the program by the  
22 departments of administrative services and management, separate  
23 from state employment by August 27, 2015, and acknowledge the  
24 employee's ineligibility to return to employment with the  
25 state.

26 The bill provides that the benefit provided to an eligible  
27 employee who participates in the program is an amount equal to  
28 the entire value of the eligible employee's accumulated but  
29 unused vacation plus, if the employee has at least 10 years  
30 of state employment, \$1,000 for each year of state employment  
31 up to 25 years. The bill provides that this amount shall be  
32 payable in five equal installments each year during November  
33 beginning in November 2015. In addition, the bill provides  
34 that a participant in the program, or the participant's  
35 surviving spouse, shall receive a health insurance premium

1 benefit to pay the premium cost for eligible state group  
2 health insurance for five years following the participant's  
3 termination from state employment. However, the bill provides  
4 that a participant shall receive the health insurance premium  
5 benefit only when the participant is no longer eligible for,  
6 or exhausts, the participant's available remaining value of  
7 sick leave used to pay the state share for the participant's  
8 continuation of state group health insurance coverage as  
9 provided in Code section 70A.23, subsection 3.

10 The bill further provides that an employer shall not hire a  
11 participant in the program for any employment.

12 The bill requires appropriations from the general fund  
13 of the state to the departments and establishments of the  
14 executive branch, but not including appropriations to the state  
15 board of regents, for operational purposes in enactments made  
16 for FY 2015-2016 to be reduced by an amount up to \$16,130,000.  
17 The reductions to operational appropriations shall be applied  
18 by the department of management.

19 The bill appropriates moneys to the department of management  
20 for FY 2014-2015 for reimbursing state agencies for costs  
21 associated with the state employee retirement incentive  
22 program. The bill provides that if the appropriated moneys  
23 are insufficient to reimburse all such costs incurred, the  
24 department of management shall transfer the moneys on a pro  
25 rata basis. The moneys do not revert until the close of the  
26 succeeding fiscal year.

27 The division takes effect upon enactment.

28 SCHOOL AID — PERCENT OF GROWTH. The bill establishes a  
29 state percent of growth of 2.625 percent for the school budget  
30 year beginning July 1, 2015. The bill also establishes a state  
31 percent of growth of 4 percent for the school budget year  
32 beginning July 1, 2016.

33 The bill establishes a categorical state percent of growth  
34 of 2.625 percent for the school budget year beginning July 1,  
35 2015. The bill establishes a categorical state percent of

1 growth of 4 percent for the school budget year beginning July  
2 1, 2016.

3 The requirements of Code section 257.8, subsections 1 and  
4 2, regarding the enactment of bills establishing the regular  
5 program state percent of growth and the categorical state  
6 percent of growth within 30 days of the submission in the  
7 year preceding the base year of the governor's budget and the  
8 subject matter limitations of bills establishing the state  
9 percent of growth and the categorical state percent of growth  
10 do not apply to this division of the bill.

11 The division takes effect upon enactment.

12 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION. The  
13 bill conditionally appropriates moneys from the general fund of  
14 the state to the department of transportation an amount that a  
15 city would have received from March 2011 until the effective  
16 date of the division of the bill if the moneys were apportioned  
17 according to the population requirements provided in Code  
18 section 312.3, subsection 2, paragraph "d". The provisions  
19 take effect upon enactment and apply retroactively to March  
20 2011.

21 DRUG OVERDOSE PREVENTION. The bill relates to drug overdose  
22 prevention and the prescription and administration of opioid  
23 antagonists, and provides immunity from certain criminal  
24 offenses for a person who seeks medical assistance for a person  
25 experiencing an overdose.

26 The bill defines an "opioid antagonist" as a drug that binds  
27 to opioid receptors and blocks or inhibits the effects of  
28 opioids acting on those receptors, including but not limited  
29 to naloxone hydrochloride or any other similarly acting drug  
30 approved by the United States food and drug administration.

31 The bill provides that if an employee is provided care under  
32 Code chapter 85 (workers' compensation), and the health care  
33 professional providing care believes the employee is at risk of  
34 an opioid-related overdose, the cost of a prescription for an  
35 opioid antagonist shall be paid by the employer or insurance

1 carrier.

2 The bill provides that certain information collected or  
3 derived from an overdose patient or overdose reporter shall  
4 not be considered to support probable cause and shall not be  
5 admissible as evidence against an overdose patient or overdose  
6 reporter for certain controlled substance-related crimes.

7 The bill provides that a person who is a friend or family  
8 member of, or is otherwise in position to assist, a person  
9 at risk of an opioid-related overdose may possess an opioid  
10 antagonist.

11 The bill directs the department of public health to develop  
12 standards for recordkeeping and reporting of opioid-antagonist  
13 use by first responders and to provide an annual report to the  
14 general assembly with recommendations regarding the use of  
15 opioid antagonists. The bill further directs the department  
16 of public health to develop protocols and instructions for the  
17 administration of an opioid antagonist and make the protocols  
18 and instructions publicly available.

19 The bill provides that a health care professional otherwise  
20 authorized to prescribe an opioid antagonist may directly, by  
21 standing order, or through collaborative agreement, prescribe  
22 or furnish an opioid antagonist to a person at risk of  
23 experiencing an opioid-related overdose or to a family member  
24 or friend of, or other person in a position to assist, a person  
25 at risk of experiencing an opioid-related overdose. The bill  
26 provides that a health care professional licensed to prescribe  
27 an opioid antagonist is not subject to civil liability,  
28 disciplinary action, or a civil or criminal penalty for  
29 prescribing an opioid antagonist to a person whom the health  
30 care professional reasonably believes may be in a position to  
31 assist or administer the opioid antagonist to a person at risk  
32 of an opioid-related overdose.

33 The bill provides that an emergency medical care provider  
34 or a law enforcement officer who has been trained in the  
35 administration of an opioid antagonist and acts with

1 reasonable care in administering an opioid antagonist to  
2 another person who the emergency medical care provider or law  
3 enforcement officer believes in good faith to be suffering an  
4 opioid-related overdose is not subject to civil liability,  
5 disciplinary action, or a civil or criminal penalty for an act  
6 or omission related to or resulting from the administration.

7 The bill provides that a person who is not licensed to  
8 prescribe, dispense, or administer opioid antagonists may, in  
9 an emergency, administer an opioid antagonist if the person  
10 believes in good faith that the other person is suffering  
11 an opioid-related overdose. The bill further provides that  
12 the person is not subject to civil liability, disciplinary  
13 action, or a civil or criminal penalty for an act or omission  
14 related to or resulting from the administration of the opioid  
15 antagonist.

16 The bill directs the department of human services to include  
17 an opioid antagonist on the medical assistance preferred drug  
18 list. The bill provides that, under the medical assistance  
19 program, a prescription for an opioid antagonist is not subject  
20 to prior authorization or other utilization management if the  
21 prescriber deems the opioid antagonist medically necessary.

22 COUNTY COURTHOUSES. The bill strikes a requirement that  
23 court be held in Avoca in Pottawattamie county. The bill  
24 repeals 1884 Iowa Acts, chapter 198, relating to the holding of  
25 court in Avoca in Pottawattamie county.

26 REFUGEE FAMILY SUPPORT SERVICES. The bill establishes  
27 a refugee family support services pilot program and makes  
28 appropriations. The bill directs the bureau of refugee  
29 services within the department of human services to establish  
30 and administer the refugee family support services pilot  
31 program to provide a grant to a state, local, or community  
32 organization working with refugee populations for contracting  
33 with and training multiple refugees to act as refugee community  
34 navigators. The bill requires the grant to be used for  
35 employment costs of a program manager and a community navigator

1 coordinator, and the contract and stipend costs for multiple  
2 refugee community navigators. The bill directs the bureau  
3 of refugee services to award one grant through a competitive  
4 application process and to provide funding for the organization  
5 over a three-year period. The bill requires the recipient  
6 organization to provide the bureau with annual progress reports  
7 and requires the bureau to present an outcomes report to the  
8 general assembly.

9 The bill appropriates \$750,000 from the general fund of the  
10 state to the department of human services for FY 2014-2015 for  
11 a pilot project in a county with a population over 350,000 as  
12 determined by the 2010 federal decennial census, and allows the  
13 moneys to be carried forward to the next fiscal year.

14 The division takes effect upon enactment.

15 DEPARTMENT OF MANAGEMENT — DUTIES. The bill transfers  
16 duties of the department of management for targeted small  
17 businesses and state programs for equal opportunity to  
18 the department of administrative services. The bill makes  
19 conforming amendments.

20 CLAIMS AGAINST THE STATE AND BY THE STATE. Payments  
21 authorized by the state appeal board are paid under current law  
22 from the appropriation or fund of original certification of the  
23 claim. The bill provides that if such appropriation or fund  
24 has since reverted, then such payment is from the Iowa economic  
25 emergency fund and then the general fund of the state if the  
26 Iowa economic emergency fund is insufficient. The bill creates  
27 a standing unlimited appropriation from the Iowa economic  
28 emergency fund to the state appeal board for the payment of  
29 such claims.

30 STATE GEOLOGICAL SURVEY. Currently, the geological survey  
31 of the state is created in the department of natural resources  
32 and the director of the department of natural resources  
33 appoints the state geologist. The bill moves the state  
34 geological survey to the IIHR — hydroscience and engineering  
35 unit of the university of Iowa college of engineering and

1 requires the director of the unit to appoint the state  
2 geologist.

3 The bill provides that the state geological survey's mission  
4 is to acquire information regarding mineral and water resources  
5 in the state and to provide publications, consultant services,  
6 and a library of databases.

7 The bill requires the state geological survey to cooperate  
8 with federal and state agencies to maximize the benefits  
9 derived from resource assessments and to expand educational and  
10 technology transfer programs.

11 The bill requires the state geological survey to be located  
12 in or in proximity to Iowa City.

13 The bill makes conforming amendments and provides  
14 transitional provisions.

15 The bill appropriates \$1 million for FY 2015-2016 and  
16 \$500,000 for FY 2016-2017 from the general fund of the state  
17 to the university of Iowa for purposes of the state geological  
18 survey.

19 The bill reduces by \$1 million the appropriation to the  
20 department of natural resources in 2015 Iowa Acts, Senate  
21 File 494, if enacted, for the fiscal year beginning July 1,  
22 2015, for purposes of supporting the department including  
23 administration, regulation, and programs. The bill reduces  
24 by \$500,000 the appropriation to the department of natural  
25 resources in 2015 Iowa Acts, Senate File 494, if enacted,  
26 for the fiscal year beginning July 1, 2016, for purposes of  
27 supporting the department including administration, regulation,  
28 and programs.

29 REVIVAL OF USE RESTRICTIONS. The bill relates to the ability  
30 of a common interest community to revive use restrictions.

31 The bill defines "common interest community" as real  
32 estate described in a declaration with respect to which a  
33 person, by virtue of the person's ownership of a parcel, is  
34 obligated to pay for a share of real estate taxes, insurance  
35 premiums, maintenance, or improvement of, or services or other

1 expenses related to, common elements, other parcels, or other  
2 real estate described in the declaration. "Common interest  
3 community" includes a cooperative under Code chapter 499A and a  
4 horizontal property regime under Code chapter 499B.

5 The bill references the definition of "use restriction"  
6 in Code section 614.24 which is a limitation or prohibition  
7 on the rights of a landowner to make use of the landowner's  
8 real estate, including but not limited to limitations or  
9 prohibitions on commercial uses, rental use, parking and  
10 storage of recreational vehicles and their attachments,  
11 ownership of pets, outdoor domestic uses, construction and  
12 use of accessory structures, building dimensions and colors,  
13 building construction materials, and landscaping. "Use  
14 restriction" does not include an easement granting a person  
15 an affirmative right to use land in the possession of another  
16 person including but not limited to an easement for pedestrian  
17 or vehicular access, reasonable ingress and egress, solar  
18 access, utilities, supporting utilities, parking areas, bicycle  
19 paths, and water flow, an agreement between two or more parcel  
20 owners providing for the sharing of costs and other obligations  
21 for real estate taxes, insurance premiums, and for maintenance,  
22 repair, improvements, services, or other costs related to  
23 two or more parcels of real estate regardless of whether the  
24 parties to the agreement are owners of individual lots or  
25 incorporated or unincorporated lots or have ownership interests  
26 in common areas in a horizontal property regime or residential  
27 housing development, or an agreement between two or more  
28 parcel owners for the joint use and maintenance of driveways,  
29 party walls, landscaping, fences, wells, roads, common areas,  
30 waterways, or bodies of water.

31 Under Code section 614.24, no action arising or existing  
32 by reason of the provisions of any contract providing for use  
33 restrictions in and to real estate may be maintained after 21  
34 years from the recording of the contract unless a claimant has  
35 filed a verified claim with the county recorder within the

1 21-year period.

2 The bill provides a mechanism for common interest  
3 communities to revive use restrictions which have become barred  
4 by operation of Code section 614.24. A proposal to revive  
5 use restrictions may be brought by the executive board of the  
6 homeowners' association or by petition of parcel owners who own  
7 at least 10 percent of the affected parcels.

8 The bill specifies the form of the notice the executive board  
9 shall provide to parcel owners regarding a proposal for the  
10 revival of use restrictions. The proposal may be voted upon at  
11 a meeting which shall be held no less than 14 days and no more  
12 than 60 days after notice was provided to the parcel owners.  
13 The proposal may also be voted on by written ballot. If the  
14 vote is by written ballot, the notice must specify when ballots  
15 are due, which must be no earlier than 14 days and no later than  
16 60 days after the written ballots were delivered.

17 Upon proper notice, if the owners of a majority of the  
18 affected parcels in the common interest community approve the  
19 revival of lapsed use restrictions, the lapsed use restrictions  
20 are revived as to all parcels in the common interest community.

21 The revived use restrictions become effective upon  
22 recordation. The revived use restrictions are not given  
23 retroactive applicability. Revived use restrictions may not be  
24 enforced against a parcel if a parcel owner made a good-faith  
25 investment that would be impaired by such enforcement and such  
26 investment was made while the use restriction was unenforceable  
27 under Code section 614.24 and before the use restriction was  
28 revived under new Code chapter 564B.

29 The bill provides that if use restrictions are revived under  
30 new Code chapter 564B, the 21-year limitation period under Code  
31 chapter 614.24 begins as of the recordation date of the revived  
32 use restrictions.

33 This division of the bill applies to common interest  
34 communities created prior to, and still in existence on, July  
35 1, 2015, and created on or after July 1, 2015.

1 INTEROPERABLE COMMUNICATIONS. The bill adds two new members  
2 to the statewide interoperable communications system board,  
3 increasing the voting members on the board to 17. One new  
4 member shall be a representative of local emergency management  
5 coordinators and the other new member shall be a representative  
6 of emergency medical service providers.

7 HUMAN TRAFFICKING. The bill relates to human trafficking  
8 and includes a penalty provision.

9 The bill requires law enforcement officers to complete  
10 four hours of in-service training every five years related to  
11 domestic assault, sexual assault, human trafficking, stalking,  
12 and harassment. The in-service training must be approved by  
13 the Iowa law enforcement academy in consultation with the Iowa  
14 coalition against sexual assault and the Iowa coalition against  
15 domestic violence.

16 The bill directs the crime victim assistance division of the  
17 department of justice, in cooperation with other governmental  
18 agencies and nongovernmental or community organizations, to  
19 develop and conduct outreach, public awareness, and training  
20 programs related to human trafficking. The programs are for  
21 the general public, law enforcement agencies, first responders,  
22 potential victims, and persons conducting or regularly dealing  
23 with businesses that have a high statistical incidence of  
24 debt bondage or forced labor or services, and are intended  
25 to train participants to recognize and report incidents of  
26 human trafficking and to suppress the demand that fosters  
27 exploitation of persons and leads to human trafficking.

28 Under current law, the department of justice may use up to  
29 \$100,000 from the victim compensation fund to provide training  
30 to victim service providers. The bill provides that the  
31 department of justice may use up to \$300,000 each fiscal year  
32 to provide training programs to victim service providers, to  
33 provide training to related professionals concerning victim  
34 service programming, and to provide training concerning  
35 homicide, domestic assault, sexual assault, stalking,

1 harassment, and human trafficking.

2 The bill requires the division of criminal and juvenile  
3 justice planning of the department of human rights to collect  
4 and maintain criminal history data on incidents related to  
5 human trafficking, and to submit an annual report to the  
6 general assembly concerning the collected data. The bill  
7 defines "incidents related to human trafficking" to mean  
8 criminal violations of Code section 710.5 (child stealing),  
9 710.11 (purchase or sale of individual), 710A.2 (human  
10 trafficking), 725.1(2) (prostitution), 725.2 (pimping), 725.3  
11 (pandering), or violations of Code section 710.2 (kidnapping in  
12 the first degree), 710.3 (kidnapping in the second degree), or  
13 710.4 (kidnapping in the third degree) if the victim was forced  
14 to provide labor or services or participate in commercial  
15 sexual activity.

16 The bill amends the definition of "forcible felony"  
17 to include human trafficking. "Human trafficking" means  
18 participating in a venture to recruit, harbor, transport,  
19 supply provisions, or obtain a person for either forced labor  
20 or service that results in involuntary servitude, peonage,  
21 debt bondage, or slavery, or for commercial sexual activity  
22 through the use of force, fraud, or coercion, except that if  
23 the trafficked person is under the age of 18, the commercial  
24 sexual activity need not involve force, fraud, or coercion.  
25 As an offense that is a forcible felony, a person convicted  
26 of human trafficking would not be eligible for a suspended or  
27 deferred sentence, or a deferred judgment.

28 SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS  
29 INTERNSHIP. The bill amends language relating to wages paid  
30 to an intern under the science, technology, engineering,  
31 and mathematics internship program to specify that an Iowa  
32 employer may receive financial assistance from the state on a  
33 matching basis. The bill provides that if the authority offers  
34 financial assistance for a student at a small or medium sized  
35 Iowa firm that is an innovative business or for a science,

1 technology, engineering, or mathematics student working with  
2 an Iowa employer, for every \$2 earned by the student in  
3 wages, the employer's payment of \$1 shall be matched by the  
4 authority with \$1 on a reimbursement basis. The division  
5 requires the authority to administer the two components of the  
6 internship program in as similar a manner as possible. The  
7 bill authorizes the authority to adopt emergency rules for this  
8 division of the bill. The bill takes effect upon enactment and  
9 applies retroactively to contracts for financial assistance  
10 entered into on or after July 1, 2014.

11 ANTIHARASSMENT AND ANTIBULLYING. The bill requires  
12 the director of the department of education, subject to an  
13 appropriation of funds by the general assembly, to ensure each  
14 school district has access to adequate training on conducting  
15 investigations of complaints of incidents of harassment  
16 or bullying pursuant to Code section 280.28, the state law  
17 relating to school antiharassment and antibullying policies,  
18 by offering such training on an annual basis to at least one  
19 employee per district.

20 The bill requires the department of education, subject to an  
21 appropriation of funds by the general assembly, to establish  
22 a student mentoring pilot program to explore how student  
23 leadership can help prevent bullying and violence in schools.  
24 The program shall promote best practices for bullying and  
25 violence prevention for middle and high school students. The  
26 department must establish the program in at least two middle  
27 schools and two high schools, which shall include both urban  
28 and rural schools. The department must establish criteria  
29 for selection of participating schools and evaluation of the  
30 program.

31 The bill modifies the definition of "electronic" under Code  
32 section 280.28 by adding any other electronic communication  
33 site, device, or means to the definition and by including  
34 social networking sites as part of the term "internet-based  
35 communications".

1 Under Code section 280.28, subsection 2, "harassment" and  
2 "bullying" shall be construed to mean any electronic, written,  
3 verbal, or physical act or conduct toward a student which is  
4 based on any actual or perceived trait or characteristic of  
5 the student and which creates an objectively hostile school  
6 environment that meets one or more of certain conditions. The  
7 bill modifies the definition of "harassment" and "bullying"  
8 under Code section 280.28 by adding behavior or any other  
9 distinguishing characteristic to the definition. The bill  
10 provides that the definition of "harassment" and "bullying" is  
11 to be construed broadly to achieve the purposes of the law.

12 The bill requires school antiharassment and antibullying  
13 policies to include a procedure for the notification as soon as  
14 practicable of the parents or guardians of the alleged targeted  
15 students and perpetrators in a reported incident of harassment  
16 or bullying. The procedure must include an exception to the  
17 notification requirement if a school official or a student  
18 whose parent or guardian would otherwise be notified reasonably  
19 believes notification would subject the targeted student to  
20 rejection, abuse, or neglect.

21 The bill grants school officials the authority to  
22 investigate and impose school discipline or take other action  
23 in cases of alleged incidents of harassment or bullying that  
24 occur outside of school, off of school property, or away from  
25 school functions or school-sponsored activities if certain  
26 conditions are met. Those conditions are that an incident of  
27 harassment or bullying is reported pursuant to the school's  
28 antiharassment and antibullying policy; and that the alleged  
29 incident of harassment or bullying has an effect on school  
30 grounds that creates an objectively hostile school environment  
31 that places the student in reasonable fear of harm to the  
32 student's person or property; has a substantially detrimental  
33 effect on the student's physical or mental health; has the  
34 effect of substantially interfering with a student's academic  
35 performance; or has the effect of substantially interfering

1 with the student's ability to participate in or benefit from  
2 the services, activities, or privileges provided by a school.

3 The bill provides that a school official's investigation  
4 and response to an alleged incident of bullying or harassment  
5 that occurs outside of school, off of school property, or away  
6 from a school function or school-sponsored activity may include  
7 referring the matter to appropriate community-based agencies.

8 The bill provides that Code section 280.28 shall not be  
9 construed to diminish a school administrator's discretion  
10 to impose discipline or take other action in the case of an  
11 unfounded incident of harassment or bullying if a student's  
12 behavior otherwise constitutes student misconduct based on  
13 other grounds.

14 Current law provides that a high school student who  
15 participates in open enrollment in a school district other  
16 than the student's district of residence is ineligible to  
17 participate in varsity interscholastic athletic contests and  
18 athletic competitions during the student's first 90 school  
19 days of enrollment in the district. However, a student may  
20 participate in a varsity interscholastic sport immediately upon  
21 open enrollment under various exceptions to that requirement.

22 The bill adds an additional exception if a student's  
23 district of residence determines that the student was subject  
24 to a founded incident of harassment or bullying while attending  
25 school in the district of residence in the current or previous  
26 school year and both the district of residence and the other  
27 school district agree to allow the pupil to participate  
28 immediately in a varsity interscholastic sport.

29 The bill requires the department of education to convene  
30 a public-private work group of representatives of state and  
31 local agencies, citizens, community groups, and organizations  
32 who have experience and expertise in the areas of antibullying  
33 education, research, and training. The work group, after  
34 reviewing existing research, data, and strategies, shall  
35 provide recommendations to the department regarding matters

1 to enhance statewide school climate improvement and bullying  
2 prevention, awareness, and intervention. The bill provides for  
3 membership of the work group to be appointed by the director of  
4 the department. When making appointments to the work group,  
5 the director must ensure that public, nonpublic, urban, and  
6 rural schools are adequately represented by the membership  
7 of the work group. The work group shall also include ex  
8 officio legislative members. The department must convene the  
9 work group by October 1, 2015. The work group must submit  
10 its findings and recommendations in a final report to the  
11 department and the chairpersons and ranking members of the  
12 senate and house education committees by December 15, 2016.

13 SCHOOL DISTRICT PROPERTY TAX REPLACEMENT PAYMENTS. Current  
14 Code section 257.16B, as amended by 2015 Iowa Acts, Senate File  
15 173, provides for school district property tax replacement  
16 payments. Current law provides that for budget years beginning  
17 on or after July 1, 2015, each school district's property tax  
18 replacement payment amount is equal to the school district's  
19 weighted enrollment for that budget year multiplied by the  
20 difference of the following: (1) the regular program state  
21 cost per pupil for the budget year beginning July 1, 2015,  
22 multiplied by 100 percent less the regular program foundation  
23 base per pupil percentage; and (2) the regular program state  
24 cost per pupil for the budget year beginning July 1, 2012,  
25 multiplied by 100 percent less the regular program foundation  
26 base per pupil percentage.

27 The bill modifies the replacement payment calculation for  
28 budget years beginning on or after July 1, 2016. For each  
29 budget year beginning on or after July 1, 2016, each school  
30 district's property tax replacement payment amount is equal to  
31 the school district's weighted enrollment for the budget year  
32 multiplied by the difference of the following: (1) the regular  
33 program state cost per pupil for the budget year beginning July  
34 1, 2016, multiplied by 100 percent less the regular program  
35 foundation base per pupil percentage; and (2) the regular

1 program state cost per pupil for the budget year beginning July  
2 1, 2012, multiplied by 100 percent less the regular program  
3 foundation base per pupil percentage.

4 CONTROLLED SUBSTANCES. Under current law and in the  
5 bill, the board of pharmacy may designate a new substance  
6 as a controlled substance, by administrative rule, without  
7 the general assembly amending Code chapter 124, only if the  
8 substance is designated as a controlled substance under federal  
9 law.

10 If the board of pharmacy designates a substance as  
11 controlled, the bill specifies that the temporary designation  
12 is considered a temporary amendment to the schedules of  
13 controlled substances in Code chapter 124, and if the general  
14 assembly does not amend Code chapter 124 to enact the temporary  
15 amendment within two years from the date the temporary  
16 amendment first became effective, the temporary amendment is  
17 repealed by operation of law two years from the effective date  
18 of the temporary amendment. A temporary amendment repealed by  
19 operation of law is subject to Code section 4.13 relating to  
20 the construction of statutes and the application of a general  
21 savings provision.

22 Current law provides that if within 60 days after the next  
23 general assembly convenes and the general assembly has not made  
24 the corresponding changes in Code chapter 124, the temporary  
25 designation that the substance is a controlled substance is  
26 nullified.

27 The bill requires the transfer of moneys from an escrow fund  
28 created pursuant to an arbitrator decision and award dated  
29 December 22, 1995, to an escrow fund created pursuant to Code  
30 section 99D.9C, subsection 2, paragraph "a".

31 The division takes effect upon enactment.

32 INTERSTATE MEDICAL LICENSURE COMPACT. The bill seeks to  
33 enact the interstate medical licensure compact, which would  
34 allow physicians to secure licensure in states in which they do  
35 not hold a traditional license. Passage of the bill means Iowa

1 would become a compact member state. The compact shall become  
2 effective and binding upon passage by at least seven states.

3 The bill recognizes the creation of an interstate medical  
4 licensure compact commission to administer the compact. Its  
5 commissioners would include two representatives from each  
6 member state. The commissioners must be an allopathic or  
7 osteopathic physician appointed to a state board, an executive  
8 member of a state board, or a member of the public on a state  
9 board. The interstate commission must hold at least one  
10 meeting per year and all meetings would be open to the public,  
11 subject to closure for specified topics. The interstate  
12 commission must create an executive committee and may establish  
13 other committees as necessary to govern and administer the  
14 compact. The interstate commission will have the power to  
15 adopt bylaws, create its own rules, enforce compliance with  
16 its bylaws and rules, establish and maintain offices, purchase  
17 and maintain insurance and bonds, employ an executive director  
18 who may employ and fix compensation and duties for employees,  
19 establish a budget and make expenditures, seek and obtain  
20 trademarks, copyrights, and patents, and lease, buy, and sell  
21 property, as well as other functions it deems necessary.

22 Physicians must designate a member state as their state of  
23 principal license for purposes of applying for an expedited  
24 license. An expedited license is a full and unrestricted  
25 license granted by a member state. A physician seeking an  
26 expedited license to practice medicine must apply to the board  
27 of medicine in the physician's state of principal license. The  
28 board of medicine must then verify or deny the physician's  
29 eligibility for an expedited license to the interstate  
30 commission. An expedited license granted to a physician shall  
31 be terminated if the physician fails to maintain a license in  
32 the physician's state of principal license.

33 The interstate commission shall have authority to establish  
34 and maintain a database of all physicians who have applied for  
35 an expedited license. Medical boards of member states may

1 participate in investigations of physicians in conjunction with  
2 other boards of other member states. A physician subjected  
3 to disciplinary action by any medical board of a member state  
4 may also be subject to discipline by another member state  
5 medical board. If a physician's license is suspended, revoked,  
6 surrendered, or relinquished due to discipline by one medical  
7 board of a member state, the physician's license shall be  
8 automatically placed on the same status by other medical boards  
9 of member states without additional disciplinary action.

10 The interstate commission's officers and employees shall be  
11 immune from liability for claims of damage that occurred within  
12 the scope of their duties. The interstate commission may  
13 propose amendments to the compact that would become effective  
14 upon passage by at least seven member states. The interstate  
15 commission may initiate legal action to enforce the compact's  
16 provisions and rules. If a member state defaults in its  
17 performance of the compact's responsibilities, the interstate  
18 commission shall notify the state as such and provide training  
19 and assistance to remedy the default. If a member state fails  
20 to cure its default, that state's rights and privileges under  
21 the compact shall be terminated upon a vote of the majority of  
22 commissioners.

23 The executive, legislative, and judicial branches of Iowa  
24 would maintain authority to enforce the compact. The compact's  
25 provisions would not override the state's existing authority  
26 to regulate the practice of medicine. The board of medicine  
27 would have jurisdiction to impose an adverse action against  
28 a medical license issued in Iowa pursuant to the compact's  
29 procedures. Member states may withdraw upon enactment of a  
30 statute repealing the compact. The compact would dissolve when  
31 membership declines to one state.

32 ENTREPRENEUR INVESTMENT AWARDS PROGRAM. The bill amends the  
33 entrepreneur investment awards program administered by the EDA.  
34 The bill strikes provisions that prohibited the EDA from making  
35 awards under the program since July 1, 2014, and that required

1 the EDA by December 31, 2014, to conduct a comprehensive review  
2 of the program and submit a report with specified information  
3 to the governor and the general assembly.

4 The bill modifies the purpose of the program to be to provide  
5 financial assistance to eligible entrepreneurial assistance  
6 providers (provider) that provide technical and financial  
7 assistance to entrepreneurs and start-up companies seeking  
8 to create, locate, or expand a business in Iowa. "Financial  
9 assistance" is defined in the bill.

10 The bill changes the requirements for receiving an award.  
11 To be eligible to receive an award under current law, an  
12 entrepreneurial assistance program must have been an Iowa-based  
13 business, expended at least \$500,000 during the previous fiscal  
14 year to provide technical and financial assistance services  
15 that meet the broad-based needs of entrepreneurs seeking to  
16 create, locate, or expand a business in Iowa that intends to  
17 derive more than 10 percent of its gross sales from markets  
18 outside Iowa; and must have engaged and communicated with  
19 certain other programs, funding sources, and entities for its  
20 entrepreneur clients. The bill amends the eligibility for  
21 receiving financial assistance to require that a provider have  
22 its principal place of operations in Iowa and that the provider  
23 offer a comprehensive set of business development services to  
24 emerging and early-stage innovation companies to assist in  
25 the creation, location, growth, and long-term success of the  
26 company in Iowa. "Business development services" is defined in  
27 the bill. Business development services may be performed at  
28 the physical location of the provider or the company and may  
29 be provided in consideration of equity participation in the  
30 company, a fee for services, or a membership agreement with the  
31 company.

32 Under current law, the EDA board could approve, deny, or  
33 defer each application for a grant, and was required to award  
34 grants on a first-come, first-served basis. The bill specifies  
35 that the EDA board has the discretion to approve, deny, or

1 defer each application for financial assistance and that the  
2 amount of financial assistance awarded to a provider is within  
3 the discretion of the EDA. The bill requires the EDA to award  
4 financial assistance on a competitive basis and allows the EDA  
5 to develop scoring criteria and establish minimum requirements  
6 for the receipt of a financial assistance award.

7 In addition to the four factors relating to the provider's  
8 professional staff that the EDA may consider under current  
9 law in deciding whether to award financial assistance, the  
10 bill provides that the EDA may also consider the service model  
11 and likelihood of success of the provider, the provider's  
12 similarity to other successful providers in the country, and  
13 the provider's financial need.

14 The bill modifies the maximum award amount for a recipient.  
15 Under current law, a grant to an entrepreneur assistance  
16 program cannot exceed the lesser of 25 percent of the funds  
17 expended by the program during the previous fiscal year,  
18 100 percent of the funds raised from certain persons by the  
19 program during the previous fiscal year, or \$200,000. The bill  
20 provides that the amount of financial assistance awarded to any  
21 one provider shall not exceed \$200,000.

22 The bill modifies the permitted use of funds received under  
23 the program. Under current law, grants are only permitted  
24 to be used for the purpose of operating costs incurred by  
25 the program. The bill specifies that financial assistance  
26 awarded to a provider shall only be used for the purpose of  
27 operating costs incurred by the provider in the provision of  
28 business development services to emerging and early-stage  
29 innovation companies in Iowa. The bill further requires that  
30 such financial assistance shall not be distributed to owners  
31 or investors of the company to which the business development  
32 services are being provided and shall not be provided to other  
33 persons assisting with the provision of the services.

34 Under current law, an entrepreneurial assistance provider is  
35 required to accept client referrals from the EDA as a condition

1 of receiving a grant. The bill provides that the EDA may make  
2 client referrals to eligible providers.